

**EXHIBIT C**  
**Part 3 of 6**

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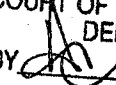
CARRIE KOJIMOTO

November 16, 2006

Clerk,  
Court of Appeal of the State of California  
Third Appellate District  
900 N. Street, Suite 400  
Sacramento, CA 95814

FILED

NOV 17 2006

COURT OF APPEAL - THIRD DISTRICT  
DEENA C. FAWCETT  
BY  Deputy

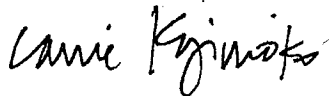
0053979

Re: *In re Donald Cronk*, 

Dear Clerk:

On October 27, 2006, we filed a petition for writ of habeas corpus for our client, Donald Everett Cronk, and asked the court to request that the exhibits that were lodged with his Sacramento County Superior Court petition, *In re Cronk*, No. 06F06029, be transmitted to it. On November 9, 2006, a clerk for this court informed us by phone that our request was not granted. Enclosed are the aforementioned exhibits.

Sincerely,



Carrie Kojimoto

cc: client

RECEIVED

NOV 17 2006

Clerk, Court of Appeal  
Third Appellate District

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**PETITION FOR WRIT OF HABEAS CORPUS**

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( ) PAROLE GRANTED - (YES)  
CDC: Do not release prisoner before  
Governor's review.

(✓) PAROLE DENIED - (NO) 1yr ( 9/06 )

Records Use Only

Parole Release Date \_\_\_\_\_  
YR MO DAY

Attach Prison Calculation Sheet

( ) AGREED UNSUITABLE (Attach 1001A Form) FOR: \_\_\_\_\_ YEAR(S)

( ) HEARING POSTPONED/REASON: \_\_\_\_\_

**PANEL RECOMMENDATIONS AND REQUESTS.**

**The Board Recommends:**

- ( ) No more 115's or 128A's (✓) Stay discipline free  
( ) Work to reduce custody level ( ) Learn a trade\* (✓) Earn positive chronos  
(✓) Get self-help\* ( ) Get therapy ( ) Get a GED\*

- ( ) Recommend transfer to \_\_\_\_\_  
( ) Other \_\_\_\_\_

- These programs are recommended if they are offered at your prison and you are eligible/able to participate

Penal Code 3042 Notices (X ) Sent Date: 07-27-05

Commitment Offense(s) 187 & 12022.5 MURDER 1<sup>ST</sup> W/ USE OF FIREARM  
Code(s) Crime(s)  
SAC 66618 1  
Case #(s) Count #(s)

Date Inmate Came to CDC  
06-13-84

Date Life Term Began  
06-13-84

Minimum Eligible Parole Date  
03-02-98

( ) Initial Hearing (X) Subsequent (Hearing No) 4 ( ) Date of Last Hearing 03-16-04

**CDC Representative**

Attorney for Prisoner RICHARD FATHY

Address

D.A. Representative ROB GOLD

County

SACRAMENTO

This form and the Board's decision at the end of the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

Chair

Date

Panel Member

Date

Panel Member

Date

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
CRONK, DONALD	C-87286	SAN QUENTIN	SUB 3	09-14-05

11. NOTE TO CDC STAFF: RECOMMENDATIONS AND REQUESTS

☒ 3. the panel's belief that the prisoner's current mental health is an important issue. In the new full evaluation, the panel requests that the clinician specifically address the following:

☒ a. the prisoner's violence potential in the free community;

☒ b. the significance of alcohol/drugs as it relates to the commitment offense and an estimate of the prisoner's ability to refrain from use/abuse of same when released;

☐ c. the prisoner's psycho-sexual problems;

☒ d. the extent to which the prisoner has explored the commitment offense and come to terms with the underlying causes;

☒ e. the need for further therapy programs while incarcerated.

☐ f. other:

☐ 4. the panel's belief that the prisoner has deteriorated psychologically and there appears to be a need for treatment. The panel bases this conclusion upon

☐ B (Other requests to CDC staff):

NOT BY DR

INABA

Cronk, Donald

C - 287286





SUBSEQUENT PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA

BOARD OF PAROLE HEARINGS

In the matter of the Life  
Term Parole Consideration  
Hearing of:

DONALD CRONK  
\_\_\_\_\_

)  
)  
) CDC Number C-87286  
)  
)  
)

**INMATE  
COPY**

CALIFORNIA STATE PRISON, SAN QUENTIN

SAN QUENTIN, CALIFORNIA

SEPTEMBER 14, 2005

PANEL PRESENT:

Mr. Stephen Lee, Presiding Commissioner  
Ms. Joan Thompson, Deputy Commissioner

OTHERS PRESENT:

Mr. Donald Cronk, Inmate  
Mr. Richard Fathy, Attorney for Inmate  
Mr. Robert Gold, Deputy District Attorney (video)  
Ms. Unidentified Speaker  
Correctional Officers Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

\_\_\_\_\_ No See Review of Hearing  
\_\_\_\_\_ Yes Transcript Memorandum

Kristin Ledbetter, Peters Shorthand Reporting

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DEPUTY COMMISSIONER THOMPSON: You are on

PRESIDING COMMISSIONER LEE: All right.

UNIDENTIFIED SPEAKER: Can he hear us?

C-

(indiscernible) microphone.

PRESIDING COMMISSIONER LEE: Counsel, can

DEPUTY COMMISSIONER THOMPSON: And all he

UNIDENTIFIED SPEAKER: That's what he

PRESIDING COMMISSIONER LEE: Counsel, can

UNIDENTIFIED SPEAKER: He doesn't look

PRESIDING COMMISSIONER LEE: It should

ATTORNEY FATHY: Is there a mute on the

1 --

2 DEPUTY COMMISSIONER THOMPSON: There is a  
3 mute, but he should just need to press the  
4 microphone button. It turns on if you press it.  
5 It turns on.

6 UNIDENTIFIED SPEAKER: It's on here.

7 PRESIDING COMMISSIONER LEE: Can you hear  
8 us?

9 ATTORNEY FATHY: Do you know how to work  
10 these phones?

11 UNIDENTIFIED SPEAKER: Try to call the  
12 (indiscernible).

13 DEPUTY COMMISSIONER THOMPSON:  
14 (indiscernible) events (indiscernible).

15 INMATE CRONK: I don't know if I'm  
16 allowed to.

17 DEPUTY COMMISSIONER THOMPSON: Are you  
18 electronically literate?

19 ATTORNEY FATHY: This is the guy who puts  
20 on the concerts in the prison.

21 DEPUTY COMMISSIONER THOMPSON: Oh,  
22 really. So he could probably tell us everything  
23 (indiscernible).

24 PRESIDING COMMISSIONER LEE: No, no, no,  
25 no, no, no. We're just waiting for the officers  
26 to come.

27 ATTORNEY FATHY: Here it comes. Here it

1 comes.

2 PRESIDING COMMISSIONER LEE: Can you hear  
3 us?

4 DEPUTY DISTRICT ATTORNEY GOLD: Yes, I  
5 can.

6 PRESIDING COMMISSIONER LEE: Yeah.

7 UNIDENTIFIED SPEAKER: He did it. You  
8 have saved (indiscernible). How did you do  
9 that?

10 INMATE CRONK: I just pushed the mute  
11 button.

12 PRESIDING COMMISSIONER LEE: I pushed the  
13 mute.

14 DEPUTY COMMISSIONER THOMPSON: I pushed  
15 the mute.

16 PRESIDING COMMISSIONER LEE: I pushed the  
17 mute too.

18 UNIDENTIFIED SPEAKER: Okay. We got it  
19 on.

20 PRESIDING COMMISSIONER LEE: All right..

21 DEPUTY COMMISSIONER THOMPSON: Let me see  
22 if it's on.

23 PRESIDING COMMISSIONER LEE: All right.

24 Let us begin. This is the Subsequent Parole  
25 Consideration Hearing for Donald Cronk, CDC  
26 number C-87286. The date of the hearing is  
27 September the 14<sup>th</sup>, the year 2005. We are

1 currently located at San Quentin State Prison.  
2 The inmate was received on June 13<sup>th</sup> of 1984,  
3 out of the County of Sacramento in Case Number  
4 66618. The offense was murder in the first  
5 degree with the use of a firearm pursuant to  
6 Penal Code Section 187. The term was set at 27  
7 years to life with a minimum eligible parole  
8 date of April, no, March the 2<sup>nd</sup>, 1989. At this  
9 time, we'll make our appearances. My name is  
10 Stephen Lee, L double E, Commissioner presiding.

11 **DEPUTY COMMISSIONER THOMPSON:** And my  
12 name is Joan Thompson, T-H-O-M-P-S-O-N, and I'm  
13 a Deputy Commissioner.

14 **ATTORNEY FATHY:** My name is Richard Fathy  
15 (phonetic). I represent Mr. Cronk.

16 **INMATE CRONK:** Donald Cronk, C-87286,  
17 C-R-O-N-K.

18 **PRESIDING COMMISSIONER LEE:** All right.

19 **DEPUTY DISTRICT ATTORNEY GOLD:** Robert  
20 Gold, Deputy District Attorney, Sacramento  
21 County representing the People.

22 **PRESIDING COMMISSIONER LEE:** And Mr. Gold  
23 is appearing by video conference, and I will  
24 indicate to all parties that we will treat the  
25 Deputy District Attorney as though he were in  
26 the room with us. I have, gentlemen, Exhibit  
27 One. It is a checklist. Counsels, I wish that

1 I could indicate to you there is a date on it,  
2 but it is not. Counsels, do you have the  
3 document that is listed in Exhibit One?

4 ATTORNEY FATHY: I believe so.

5 DEPUTY DISTRICT ATTORNEY GOLD: Yes, I  
6 do.

7 PRESIDING COMMISSIONER LEE: Very good.  
8 Is there any documents that you wish to submit  
9 at this time, counsel, for the inmate?

10 ATTORNEY FATHY: Commissioner Lee, I  
11 didn't see in the file I got a number of the  
12 chronos, recent chrono listings for Mr. Cronk.  
13 They're just from, really, from the last hearing  
14 to the present, and I would presume that either  
15 I missed it somewhere, and I've made one set for  
16 Mr. Gold if he had been here, but here's a set  
17 for yourself if you'd like.

18 PRESIDING COMMISSIONER LEE: Very good.

19 ATTORNEY FATHY: And I've got a third set  
20 I could send to Bob. Do you want, do you want  
21 --

22 PRESIDING COMMISSIONER LEE: I don't  
23 think that's necessary at this point in time.

24 ATTORNEY FATHY: Bob, do you want these  
25 things?

26 DEPUTY DISTRICT ATTORNEY GOLD: You can  
27 just send them later.



1           ATTORNEY FATHY: When I get back to town,  
2 I'll send you a copy.

3           DEPUTY DISTRICT ATTORNEY GOLD: Okay.

4           ATTORNEY FATHY: They're just the chronos  
5 things for the inmate from the last year.

6           DEPUTY DISTRICT ATTORNEY GOLD: Okay.

7           PRESIDING COMMISSIONER LEE: Let's move  
8 on. Let's move on.

9           DEPUTY DISTRICT ATTORNEY GOLD: Mr. Lee.

10          PRESIDING COMMISSIONER LEE: Yes.

11          DEPUTY DISTRICT ATTORNEY GOLD: I'm  
12 sorry, I wanted to know if in your packet if you  
13 had a response from Virginia Allen. I didn't  
14 see one in our folder, but I discussed with her  
15 this morning that she did send one a number of  
16 weeks ago.

17          PRESIDING COMMISSIONER LEE: Okay. Let  
18 me check just to verify.

19          DEPUTY DISTRICT ATTORNEY GOLD: It  
20 indicates -- she indicated she also sent a  
21 photograph with her letter.

22          PRESIDING COMMISSIONER LEE: All right.  
23 I can almost assure you I have nothing with  
24 photographs. No. I do not. We have a fax  
25 machine, but that would not pick up any types of  
26 letters, I mean, any types of photographs.

27          DEPUTY DISTRICT ATTORNEY GOLD: I don't

1 have a copy of her letter with me.

2 PRESIDING COMMISSIONER LEE: Well,  
3 counsel, what do you wish to do? Since you  
4 don't have a copy, and I don't have a copy, I'm  
5 going to move on without it.

6 DEPUTY DISTRICT ATTORNEY GOLD: Okay. I  
7 would also ask, I did email Mr. Fathy a letter  
8 that the daughter of the victim prepared, and I  
9 was wondering if he had a copy.

10 ATTORNEY FATHY: I get -- this is my  
11 second credit. Don, Mr. Cronk, fixed the TV,  
12 and I've got the email.

13 DEPUTY DISTRICT ATTORNEY GOLD: Okay.  
14 Thank you.

15 ATTORNEY FATHY: It's my only copy.

16 PRESIDING COMMISSIONER LEE: Very good.

17 DEPUTY DISTRICT ATTORNEY GOLD: I was  
18 wondering -- I know that period of time is used,  
19 but I was wondering if that would be made part  
20 of the packet?

21 PRESIDING COMMISSIONER LEE: Ms.  
22 (indiscernible) says counsel has already had an  
23 opportunity to review it, and I will go over it  
24 at the appropriate time. I don't understand why  
25 we don't have copies of it. Was it sent to the  
26 Board?

27 DEPUTY DISTRICT ATTORNEY GOLD: The

1 letter from Virginia Allen was, but apparently  
2 there's been some problems in the past. Even  
3 one time Mr. Cronk received a letter that she  
4 had sent, and Mr. Cronk had turned it over to  
5 the officers. As to the second letter by Ms.  
6 Veragus (phonetic), she just prepared that. She  
7 was debating whether she was going to attend  
8 personally or not, and then the hearing got  
9 moved a day or a couple days. She was not going  
10 to be present, but she did want some remarks, so  
11 she did not send it to the Board.

12 **PRESIDING COMMISSIONER LEE:** Since the  
13 first letter we don't have, you don't have any  
14 information in regards to that either, I'm not  
15 going to take that into account. I will take  
16 into the account the second letter. At this  
17 point in time, sir, I have a document. It  
18 appears to have your signature. Did you go over  
19 this document with your attorney before signing  
20 it?

21 **INMATE CRONK:** I did.

22 **PRESIDING COMMISSIONER LEE:** All right.  
23 Basically, it goes over your hearing procedure  
24 rights, your ADA Rights, as well as your inmate  
25 rights. And at this point in time, sir, do you  
26 wish me, do you wish to waive the reading of the  
27 admonitions over to you?

1 INMATE CRONK: Yes, Sir.

2 PRESIDING COMMISSIONER LEE: All right.

3 I didn't think that you wanted me to read them.  
4 You probably have heard it more times than you  
5 want to hear it. I will, however, indicate that  
6 you do have a right. That right is to be heard  
7 by an impartial Panel. Do you have any  
8 objections to the Panel?

9 INMATE CRONK: No, I do not.

10 PRESIDING COMMISSIONER LEE: All right.

11 We will begin, we will begin a little bit  
12 different. For counsel, I do my hearings a  
13 little bit differently simply because I'm not  
14 smart enough, I guess, to figure out things from  
15 the middle. I start from the beginning. I will  
16 start off with your social history, and once I  
17 start off with your social history, then I will  
18 do, start off with your priors. Once I finish  
19 with your priors and your social history, then  
20 I'll go into the facts of the case, at which  
21 time then I will stop. I will allow you an  
22 opportunity to clarify anything you need to  
23 clarify. The reason is that I don't like to  
24 wait until the end for you to say, oh, by the  
25 way, that was all messed up in the beginning.  
26 Then, I will turn it over to the Deputy  
27 Commissioner. The Deputy Commissioner will go

1 over your programming as well as your  
2 psychological report. Again, I will stop to  
3 make any clarifications in your programming.  
4 Then, we will go into your future plans which  
5 are your parole plans, your letters of support  
6 and your letters of opposition. I will indicate  
7 to you ahead of time that there are too many  
8 letters for me to read all of them in their  
9 entirety. I will read certain ones into the  
10 record. If there are any that you choose, or  
11 you wish to discuss with your attorney that you  
12 want to highlight, then we will bring those up.  
13 I will give you an opportunity at that time to  
14 discuss them as well. This does not stop you  
15 from making your final statement. Everyone will  
16 be allowed to make their final statements, but I  
17 only ask that you not be redundant since I am  
18 pretty thorough in regards to going over your  
19 file. Having said that, if there's no  
20 objections, we will begin. The inmate was born  
21 on December 20<sup>th</sup>, 1955. The inmate apparently,  
22 excuse me, was born in Milwaukee, Wisconsin, and  
23 reared in Palmyra, I think that's how you  
24 pronounce that, P-A-L-M-Y-R-A, Wisconsin. He  
25 described it as a farming community, and he grew  
26 up on the family's small farm. He had a very  
27 close relationship with his father who died when

1 the inmate was 17 years old. He was also close  
2 to his mother and three siblings. Sir, what did  
3 your father die of?

4 INMATE CRONK: Massive coronary.

5 PRESIDING COMMISSIONER LEE: All right.  
6 The inmate's mother writes that she cannot  
7 believe that her son did this. He was an  
8 average student in school but outgoing and had  
9 many friends. He went into a deep depression  
10 after his father passed, and at the age of 18,  
11 he was married. He lived with her mother, I'm  
12 assuming his wife's mother, for awhile, but that  
13 did not work, and his wife left and moved to  
14 California to stay with her father. Did you  
15 divorce?

16 INMATE CRONK: Eventually, yes.

17 PRESIDING COMMISSIONER LEE: All right.

18 INMATE CRONK: A few years later.

19 PRESIDING COMMISSIONER LEE: All right.

20 After a short time, the inmate joined his wife  
21 in California. Wait a second. This doesn't  
22 make sense. All right. Did your mother stay in  
23 Wisconsin?

24 INMATE CRONK: Yes.

25 PRESIDING COMMISSIONER LEE: All right.

26 And eventually, you divorced, and your wife  
27 moved back to Wisconsin; is that correct?

1 INMATE CRONK: Yes, Sir.

2 PRESIDING COMMISSIONER LEE: How long  
3 were you married?

4 INMATE CRONK: About three years I think  
5 it was.

6 PRESIDING COMMISSIONER LEE: And why did  
7 you divorce?

8 INMATE CRONK: Well, we were, I was  
9 young, and she was young, and after my father  
10 died, it was my first girl, woman that I'd ever  
11 had and she got pregnant, and back home it's  
12 like shotgun wedding type thing, and so we  
13 thought the right thing to do was get married.  
14 And after several years, we realized that we  
15 weren't really compatible and had no desire to  
16 remain married.

17 PRESIDING COMMISSIONER LEE: Are you  
18 still in a relationship with her?

19 INMATE CRONK: No. I was in touch with  
20 her until commitment offense.

21 PRESIDING COMMISSIONER LEE: All right.  
22 Did you have a child?

23 INMATE CRONK: Yes.

24 PRESIDING COMMISSIONER LEE: All right.  
25 How old is your child now?

26 INMATE CRONK: She'd be about 20.

27 PRESIDING COMMISSIONER LEE: Do you have

1 any contact?

2 INMATE CRONK: No.

3 PRESIDING COMMISSIONER LEE: All right.

4 The inmate's mother states that prior to leaving  
5 Wisconsin her son had a nervous breakdown. In  
6 the mid 1980s she received word through the  
7 inmate's friend that her son had nervous  
8 problems while in California. The inmate  
9 returned to Wisconsin in August of 1980. He was  
10 not able to find employment there, so he left  
11 after two months. The inmate's sister, this is  
12 going to be interesting, Kebe (phonetic)  
13 Kienast, K-I-E-N-A-S-T, writes that the inmate  
14 is dearer to her than anyone on earth. She was  
15 four years old when he was born, and they are  
16 very close. She states that she worries about  
17 his well being and believes that if given a  
18 chance, he could prove himself to be an asset to  
19 others. Are you still in contact with your  
20 older sister?

21 INMATE CRONK: Yes.

22 PRESIDING COMMISSIONER LEE: You have  
23 another sister, Pamela Vetta, V-E-T-T-A. She  
24 basically indicates that you were the sort of  
25 boy who all his friends and parents wanted their  
26 children to emulate because he was so straight.  
27 I've always known Don to be loving, truthful,



1 and ambitious. Are you in touch with that  
2 sister as well?

3 INMATE CRONK: Yes, Sir.

4 PRESIDING COMMISSIONER LEE: All right.  
5 Sir, the reason why I am going through various  
6 reports is because I don't believe that a single  
7 report has sufficient information for me, so I  
8 take things from different reports. There is an  
9 indication that you have no military service; is  
10 that correct?

11 INMATE CRONK: That's correct.

12 PRESIDING COMMISSIONER LEE: All right.  
13 You attended school in the Township of  
14 Wisconsin. This is an interesting statement.  
15 You became aware of the social, economic status  
16 between yourself and other students. What does  
17 that mean?

18 INMATE CRONK: Basically, we were, you  
19 know, poor. We lived in poverty, and the other  
20 kids didn't, and kids are cruel, and it became  
21 patently noticeable.

22 PRESIDING COMMISSIONER LEE: And that's  
23 what you meant.

24 INMATE CRONK: Yeah.

25 PRESIDING COMMISSIONER LEE: All right.  
26 It's not -- how do I say this. Many of us do  
27 not come from the most affluent families, and

1 unfortunately, as you've indicated, young people  
2 are cruel. Substance abuse history, Mr. Cronk  
3 reported experimenting with alcohol and  
4 marijuana beginning at the age of 18. He  
5 indicates that he tried drugs on an experimental  
6 basis but was not a regular user. His employer,  
7 apparently, was the one who introduced him to  
8 cocaine. The owner of the company was in his  
9 mid 30s and involved in elaborate parties,  
10 expensive cars, and attractive women. When Mr.  
11 Cronk was promoted, his employer had a  
12 celebration at which time the inmate tried  
13 cocaine. He believed that the drug had no  
14 downsides as he was able to function normally at  
15 home and at work. He associated cocaine use  
16 with success as he admired those who used it in  
17 the company. A year later, he became dependent  
18 on the drug after his wife separated, he and his  
19 wife separated. Mr. Cronk continued to work 14  
20 to 15 hours a day, attending parties with  
21 company people. His cocaine use increased to  
22 the point where he was spending all his money on  
23 drugs. He became, he began coming in late for  
24 work. He also met a customer who became his  
25 cocaine source. In order to finance his  
26 addiction, he began stealing from the company  
27 and was eventually terminated from his job.

1 Now, we will go into the facts of the case.  
2 Counsel, at this time, will your client discuss  
3 the facts of the case with us?

4 **ATTORNEY FATHY:** Certainly, if you wish  
5 so.

6 **PRESIDING COMMISSIONER LEE:** All right.  
7 At this time, sir, would you raise your right  
8 hand. Do you solemnly swear to tell the truth,  
9 the whole truth, and nothing but the truth?

10 **INMATE CRONK:** I do.

11 **PRESIDING COMMISSIONER LEE:** All right.

12 "In the morning of December 19<sup>th</sup>,  
13 1980, the inmate and Co-defendant  
14 Glen Meyer, M-E-Y-E-R, went to the  
15 victim's residence and broke into  
16 the residence by entering a  
17 backroom window. The victim was  
18 James Allen, A-L-L-E-N, age 50.  
19 After ransacking the victim's home  
20 in search of personal effects and  
21 money, the two men laid in wait  
22 armed with an unknown caliber  
23 handgun for the victim to return.  
24 When the victim returned home, he  
25 noticed the dwelling had been  
26 entered and drew his own weapon.  
27 before entering the front door.

1           The victim surprised the inmate  
2           and fired several rounds, striking  
3           the inmate one in the arm and once  
4           in the side. The inmate retrieved  
5           his handgun from his pocket and  
6           shot once, killing the victim.  
7           After the murder, both the inmate  
8           and the co-defendant, Glenn Meyer,  
9           fled. Glen Meyer stopped long  
10          enough to pick up the victim's  
11          gun, briefcase, and diamond ring  
12          the victim wore. During the  
13          interview for this report, the  
14          inmate recalled the caliber weapon  
15          as a .38 Colt Special Detective.  
16          The inmate was arrested several  
17          months later while working in a  
18          carnival in Idaho."

19       At this point in time, sir, before we go any  
20       further, I think it's necessary for us to allow  
21       you an opportunity to clarify anything that I  
22       have said thus far. Is there anything at this  
23       time that you would like to clarify in regards  
24       to the facts of the case, your social history,  
25       and, or your prior history which I neglected to  
26       indicate, number one, you have no juvenile  
27       convictions. You do, however, have some adult

1 convictions. One was a theft from an auto which  
2 you received a fine. And I believe that's it.  
3 The other matters were this case and something  
4 that occurred while incarcerated. So having  
5 said that, is there anything you wish to clarify  
6 or explain at this time?

7           **INMATE CRONK:** I don't know what I could  
8 add. Essentially, the facts of the case, that's  
9 exactly how it happened. Prior to that, my  
10 marriage with Mary was, like I said, we felt it  
11 was the right thing to do. We were both  
12 immature, and after awhile, we realized we  
13 couldn't make it work. And also, I began using  
14 cocaine, and of course, that distracted me from  
15 my family, and I concentrated more on my job  
16 until the cocaine became such that I began -- I  
17 wasn't focused there as well.

18           **PRESIDING COMMISSIONER LEE:** All right.  
19 It's kind of ironic that you stole from the  
20 company, from the owner, who apparently was the  
21 one who introduced you to the drug in the first  
22 place; is that correct?

23           **INMATE CRONK:** Yes, Sir.

24           **PRESIDING COMMISSIONER LEE:** All right.  
25 At the height of your drug addiction, how bad  
26 was it?

27           **INMATE CRONK:** I can't recall exactly,

1 but I know that it was grams, a lot of money a  
2 day, and I was just consumed with it.

3 PRESIDING COMMISSIONER LEE: All right.  
4 Why did you pick this particular individual, Mr.  
5 Allen, to rob?

6 INMATE CRONK: Well, there was a third  
7 party involved. Mr. Meyer and I actually did  
8 the robbery and went into the residence, and I  
9 believe the record mentions a Mr. Warren, who  
10 was an associate of ours at the time, who was  
11 aware of Mr. Allen. He knew Mr. Allen. I don't  
12 know if personally, but he knew of him, that he  
13 wore large diamond rings and that he carried  
14 this briefcase full of money and jewels from his  
15 business to his home, and the plan was, you  
16 know, devised to rob him, take him of his  
17 valuables.

18 PRESIDING COMMISSIONER LEE: Well,  
19 apparently, all three of you planned this to the  
20 extent that you even bought oil to put on his  
21 finger to take his ring off.

22 INMATE CRONK: Yes.

23 PRESIDING COMMISSIONER LEE: How long did  
24 you plan this prior to the actual event?

25 INMATE CRONK: Well, again, I don't  
26 remember exact. I would say within a week, the  
27 plan was thought of and carried out. I don't

1 recall every detail.

2           PRESIDING COMMISSIONER LEE: Were you  
3 involved with crime prior to this incident?

4           INMATE CRONK: I was on a, just prior to  
5 this incident I had, I was just, I was really  
6 gone. I was really addicted to the coke and  
7 strung out, and that's all I could focus on, and  
8 so yeah, I did some things that, you know, were  
9 illegal.

10          PRESIDING COMMISSIONER LEE: Well, aside  
11 from stealing from your employer, what else did  
12 you do?

13          INMATE CRONK: Well, I wrote a check on  
14 my brother's account that he hadn't authorized.  
15 And when I Wisconsin, I did a robbery with an  
16 air gun, a fake gun, to get some money at a gas  
17 station. I came back to California, and then  
18 this case happened.

19          PRESIDING COMMISSIONER LEE: Did you ever  
20 at any point in time take any type of, or get  
21 yourself involved in any organizations or any  
22 program to get off drugs?

23          INMATE CRONK: At one point, I went to a  
24 place called the Aquarian Effort, and it was --  
25 what I didn't know, it was mostly for heroin  
26 addicts, but I was told that if I went there  
27 that they would help. And I went there, and

1 that's what I was told. I said, well, they told  
2 me that cocaine wasn't physically addicting. It  
3 was just psychological and that this was a  
4 heroin treatment facility and sent me on my way  
5 essentially.

6           **PRESIDING COMMISSIONER LEE:** All right.  
7 Okay. Well, obviously, it didn't go as you  
8 anticipated. Why did you wait for him to come?  
9 There was nothing in the house there worth  
10 stealing?

11           **INMATE CRONK:** Well, I wasn't sure; we  
12 weren't sure. It was assumed that since Mr.  
13 Allen brought his briefcase and his valuables  
14 home with him every night that there would be a  
15 safe in the house or that there would be  
16 valuables, so we were going to go into the home  
17 and look for those, secure those, and then wait  
18 for Mr. Allen to come home. Mr. Warren was  
19 supposed to call us at a pay phone down the  
20 street and let us know he was coming so that we  
21 would have the element of surprise.

22           **PRESIDING COMMISSIONER LEE:** No cell  
23 phones in those days, huh?

24           **INMATE CRONK:** No.

25           **PRESIDING COMMISSIONER LEE:** And he did  
26 not do that. You were surprised when he came  
27 in, and he actually shot you in the side and in



1 the shoulder, I mean, in the arm?

2 INMATE CRONK: The arm and the middle of  
3 my torso, yes.

4 PRESIDING COMMISSIONER LEE: All right.  
5 Unfortunately, it didn't stop there. If it had  
6 stopped there, you probably would be out among  
7 the populace at this point, but you then pulled  
8 your weapon. You had it in your pocket?

9 INMATE CRONK: Yes, Sir.

10 PRESIDING COMMISSIONER LEE: So it wasn't  
11 out at the time that he came in?

12 INMATE CRONK: No.

13 PRESIDING COMMISSIONER LEE: And you shot  
14 him. You shot him only once.

15 INMATE CRONK: Yes, Sir. Can I add  
16 something?

17 PRESIDING COMMISSIONER LEE: Sure.

18 INMATE CRONK: I don't think I would have  
19 been walking the streets had it stopped there,  
20 Mr. Lee. He fired at me six times and hit me  
21 two. I went down, and I shot through the coat  
22 pocket, and what I learned later, of course, I  
23 didn't know that then. It was just seconds, you  
24 know, a flash, a roar, and it's over. But what  
25 I learned later in the police reports is he  
26 emptied the gun and that he was reaching for  
27 another gun, and in that interval is when I shot

1 one time. At that time, I was operating off of  
2 instinct, survival mode, fear.

3 **PRESIDING COMMISSIONER LEE:** At this  
4 point in time, well, let me ask you about that.  
5 How do you feel about the fact that the victim,  
6 apparently is walking into his home with his own  
7 possessions, and he finds people, apparently in  
8 his house, not only ransacking his house but  
9 with an intent or were intending to rob him? Do  
10 you think his actions were unreasonable?

11 **INMATE CRONK:** No, Sir. I would have  
12 done the same thing.

13 **PRESIDING COMMISSIONER LEE:** How do you  
14 think at this point in time, how do you feel  
15 about this case? Mr. Allen, I guess you knew  
16 met him. You knew about him, but you really  
17 didn't know him very well. He died  
18 unfortunately. You've had some time to think  
19 about this.

20 **INMATE CRONK:** I've had a lot of time to  
21 think about it, and as the years go by,  
22 sometimes I wish I didn't have to think about it  
23 so much, but I do. And I've thought about, how  
24 do I express, who do I feel in my heart, how do  
25 I put that into words, and no matter what I say  
26 and no matter, you know, what I write, it always  
27 seems inadequate. I don't know, at least not

1 any words that I know, that's in my vocabulary.  
2 I don't know how to say what I feel exactly. I  
3 know there's times that I wish that I can't  
4 believe it was me, that I'm the one that killed  
5 Mr. Allen, that I pulled the trigger, but I'm,  
6 you know, brought back to reality, and of course  
7 it was me, and I just, I just, I don't know what  
8 to do. I don't know what I can do. I've tried  
9 to do everything I can to make Mr. Allen's death  
10 not in vain. I can never repay. I can never  
11 bring him back obviously. I've worked very hard  
12 throughout the years to try and find out and  
13 figure out why was I there that night? Why was  
14 I so addicted to cocaine. Everybody used  
15 cocaine at the time. They didn't get addicted.  
16 What was wrong with me? And I've spent these  
17 last 25 years identifying those things and  
18 seeking answers and seeking therapy and help in  
19 an attempt to understand who I was then. And it  
20 never gets easier, and it never eases the pain.  
21 You read in the record about my father dying  
22 when I was 17, and I'd like to tell you that,  
23 you know, we lived, we were poor, and we lived  
24 in a rural community, and so I didn't have a lot  
25 of little friends around, and so my father was  
26 my mentor and my best friend. And we spent  
27 hours and hours together, every day, all day,

1 working together on the farm, and when he died,  
2 it was such a shock to me that it devastated me,  
3 and I'll never forget the anger I felt and the  
4 pain that I felt or the sorrow that my mother  
5 and sisters and brothers and how it just upset  
6 our lives and turned everything upside down, and  
7 I recall that when I think about Mr. Allen, and  
8 I read what Mrs. Allen wrote and what the  
9 daughter wrote, and I understand that. They may  
10 never appreciate that fact that I understand  
11 that, and I don't blame them, but I understand  
12 what I did to that family. And when I think  
13 about I'm the one that did it, that I brought  
14 that same suffering and pain that my family and  
15 I suffered at the loss of my father, it's really  
16 hard to reconcile that with myself. I would of  
17 never, in my right mind, I would of never  
18 brought that upon anybody, another human being,  
19 and yet I did, and I have to accept that fact,  
20 and I do accept that fact, and I have spent  
21 these years trying to live with that. And it  
22 isn't easy, and I don't think it will ever  
23 become easy.

24       **PRESIDING COMMISSIONER LEE:** All right.  
25 At this time, Deputy Commissioner, I'll turn it  
26 over to the Deputy Commissioner. Deputy  
27 Commissioner will discuss with you your

1 programming while you've been incarcerated as  
2 well as your psychiatric report.

3 DEPUTY COMMISSIONER THOMPSON: Thank you.  
4 We're looking at a period from your last hearing  
5 which was March the 16<sup>th</sup> of 2004 to today,  
6 September the 14<sup>th</sup>, 2005. You have been housed  
7 throughout this period at San Quentin and remain  
8 so housed at this point in time. You're in the  
9 general population. You have a Medium A  
10 Custody. Your classification score as all  
11 lifers apparently is 19. Your academics, you  
12 have participated throughout in various  
13 programs. The San Quentin College Program for  
14 one, you've achieved an AA degree over this  
15 period of time. You're working on your BA, and  
16 the AA was apparently in Theology, and you also  
17 have a certificate of completion in Ministry  
18 from Patton State College as well. As far as  
19 work, I think you have been essentially the  
20 Lieutenant's clerk in West Watch throughout this  
21 period. Is that still true?

22 INMATE CRONK: No. Now, I am the  
23 Protestant Chaplain's clerk.

24 DEPUTY COMMISSIONER THOMPSON: So you  
25 remained in the clerk field.

26 INMATE CRONK: Yes, Ma'am.

27 DEPUTY COMMISSIONER THOMPSON: But now

1 it's the Protestant Chaplain. Okay. Your group  
2 activities are many, almost awe inspiring. You  
3 have been involved for a significant amount of  
4 time and certainly in these last 18 months.  
5 Counsel provided me with some documentation that  
6 I just went through. You've received 16  
7 laudatory chronos for your participation and  
8 your contributions and your faithful attendance.  
9 You have received 13, what they call  
10 participation chronos. You've been involved  
11 most recently in Impact, Trust, and Overcomers'  
12 Outreach, but you have been in also the Marin  
13 Abused Women's Auxiliary Program, I believe.

14 **INMATE CRONK:** Domestic Violence.

15 **DEPUTY COMMISSIONER THOMPSON:** Domestic  
16 Violence, and I'm sure, Narcotics Anonymous and  
17 Alcoholics Anonymous and more others that I  
18 wouldn't know. The Impact and Trust,  
19 especially, you got certifications from.  
20 Impact, I believe it was for Men Putting Away  
21 Childish Things.

22 **INMATE CRONK:** Yes, Ma'am.

23 **DEPUTY COMMISSIONER THOMPSON:** There were  
24 two completions, two courses of counseling.

25 **ATTORNEY FATHY:** If I may, I wrote down  
26 the title, Incarcerated Men Putting Away  
27 Childish Things.

1           DEPUTY COMMISSIONER THOMPSON: Things,  
2 okay.

3           ATTORNEY FATHY: I would never remember  
4 that title. That's why I wrote it down.

5           DEPUTY COMMISSIONER THOMPSON: Truly.  
6 Yes. And I remember the Men Putting Away  
7 Childish Things. Thank you, counsel. And as  
8 far as disciplinaries, it appears you've only  
9 had one counseling chrono in your entire career  
10 in the Department of Corrections which is  
11 amazing, and I think you received some laudatory  
12 chronos for your ability to observe the rules  
13 and regulations. It doesn't appear that you've  
14 had any one on one type of psychiatric  
15 counseling, or at least if you did, I didn't  
16 find it. Have you participated in that?

17          INMATE CRONK: Well, most of the programs  
18 that I'm in are pretty extensive, and in this,  
19 since the last hearing, only the times that I  
20 spent with the psychiatrist for this report.

21          DEPUTY COMMISSIONER THOMPSON: In that,  
22 in that group setting?

23          INMATE CRONK: Right. But throughout the  
24 years, the past 20 years, certainly I've spent  
25 time with Dr. Bruce and Dr. Du Pre (phonetic),  
26 and I've had actually extensive therapy  
27 sessions.

1           DEPUTY COMMISSIONER THOMPSON: One on one  
2 counseling in other parts of your incarceration.

3           INMATE CRONK: Yes.

4           DEPUTY COMMISSIONER THOMPSON: But not  
5 within this last 18 months per se.

6           INMATE CRONK: No. No, Ma'am.

7           DEPUTY COMMISSIONER THOMPSON: Okay.  
8 Almost without exception, I'm sure these groups  
9 deal with those kinds of issues, Impact and Man  
10 Alive and Trust and Overcomers' Outreach. So in  
11 a way, you've been doing it all along, not  
12 always necessarily on a one on one basis.

13          INMATE CRONK: Right.

14          DEPUTY COMMISSIONER THOMPSON: All right.  
15 I don't think that the psych, your Board report  
16 was not particularly making a comment as I  
17 remember it. You have, also, before I move on,  
18 you've done Art in Corrections, and you have  
19 done the National Military Survivor Peer Support  
20 Network. I believe they call that CAFS  
21 (phonetic). And I think that's the main  
22 programs that you have participated in at great  
23 length. And always in a positive vein as far as  
24 laudatory chronos, participation chronos, or  
25 facilitation chronos which there also were five  
26 of among the others as I've already mentioned.  
27 In the summary, I believe it does speak to it.



1 It says, if Cronk is considered for parole, it  
2 would be recommended that he continue to  
3 participate in Narcotics and Alcoholics  
4 Anonymous, which I'm sure would be positive  
5 recommendations. And he has, he fully  
6 understands how his involvement with drugs  
7 played a big role in the commitment offense and  
8 frankly getting into the correctional system. I  
9 don't believe there's anything else admittedly  
10 in the Reader's Digest, compacted, but hopefully  
11 accurate. Is there anything you want to bring  
12 up that I haven't touched on as to your post or  
13 your institutional adjustment in the period  
14 we're looking at?

15 **INMATE CRONK:** No. I think it's all on  
16 the record. I think it's all there.

17 **DEPUTY COMMISSIONER THOMPSON:** It's all  
18 there. Good. Well, I'm glad. All right. Then  
19 in the psychiatric area, there was an interview  
20 that you have alluded to that was done, I  
21 believe, and it says June of 2005, and I believe  
22 that was in preparation for this hearing. And  
23 it's essentially a positive evaluation. It says  
24 there is Cocaine Dependency in Institutional  
25 Remission on what they call Axis I which is the  
26 diagnostic and statistical manual DSM. On Axis  
27 II, there was No Diagnosis of any physical

1 condition and (indiscernible) that was observed.  
2 On Axis III, it says you have had Hepatitis and  
3 Degenerative Disc Disease as physical issues.  
4 On Axis IV, which is Stressors, Your Commitment  
5 Offense and the Alienation from your Family  
6 Members are seen as stressors for you. Your  
7 Global Assessment of Functioning is at 85 which  
8 is a very positive number. It says, there is no  
9 evidence that Mr. Cronk was suffering from any  
10 mental or psychiatric disorder or symptoms at  
11 the time of the commitment offense. He has no  
12 history of serious mental disorder or  
13 psychiatric condition that might be predictions  
14 or precursors in that sense predisposing him to  
15 violent behavior. He does not at the present  
16 time have any mental disorder or condition that  
17 might place him at an increased risk for violent  
18 offenses. In a confined setting, they feel like  
19 you have a low risk of violence. You have a  
20 nonviolent and productive manner in any  
21 controlled setting, and if you were in the  
22 community, they rate you at a low risk for  
23 violence or violent behavior. And let's see, it  
24 would not, your release to the community would  
25 not elevate the community's risk for your acting  
26 out and thereby causing harm in the community.  
27 At the very last, it says there is no indication

1 that he represents an increased risk to the  
2 community for violence were he to be released.  
3 I take it you have read this report which is  
4 much more detailed, but those would be the  
5 highlights that I saw. Did I leave out  
6 something you wanted specifically or especially  
7 to include?

8 INMATE CRONK: No. I think you covered  
9 it.

10 DEPUTY COMMISSIONER THOMPSON: Well, I  
11 thank you for that. I have no questions. Do  
12 you have any Mr. Lee?

13 PRESIDING COMMISSIONER LEE: No.

14 DEPUTY COMMISSIONER THOMPSON: Then I  
15 will return it to the Chair. Thank you very  
16 much.

17 PRESIDING COMMISSIONER LEE: Before I go  
18 into your parole plans, I do want to just  
19 clarify one thing. You did have one, a single  
20 128(a) in 1984. I guess it was a disrespect or  
21 disobeying guards. What was that about?

22 INMATE CRONK: I think it was in the  
23 visiting room, and I had called the officer an  
24 ass because I thought he was, and he wrote that  
25 up.

26 PRESIDING COMMISSIONER LEE: Well, why  
27 did you think he was an ass? Maybe he was.

1           INMATE CRONK: Well, that's what I  
2 thought, he was, and you know that I'm an  
3 inmate, and I should of, you know, kept my mouth  
4 shut, but I told the truth, and he wrote me up,  
5 and he has the right to do that.

6           PRESIDING COMMISSIONER LEE: What did he  
7 do?

8           INMATE CRONK: I don't even recall now  
9 it's been so long. I know I see him often. I  
10 believe I -- what was his name? It escapes me  
11 now, but it was just one of those situations. I  
12 can't remember the particulars.

13          PRESIDING COMMISSIONER LEE: All right.  
14 I have decided I will probably go through the  
15 inmate's parole plans as opposed to those in the  
16 Board packet since they may not be as up to  
17 date. The inmate wishes to reside with his  
18 fiancée, Kathleen Giono. Is that how you say  
19 her name?

20          INMATE CRONK: Giono.

21          PRESIDING COMMISSIONER LEE: Giono,  
22 G-I-O-N-O, and I have a letter from her that I  
23 will go to shortly. Apparently, the inmate and  
24 Ms. Giono intend to get married after or once he  
25 is released. They've known each other since  
26 1991; is that correct, sir?

27          INMATE CRONK: Yes, Sir.

1           PRESIDING COMMISSIONER LEE: All right.  
2 And the letter seems to indicate that she has  
3 her own residence. She apparently manages a  
4 travel agency and things of that nature; is that  
5 correct?

6           INMATE CRONK: Yes, Sir.

7           PRESIDING COMMISSIONER LEE: All right.  
8 If you live there, where would you work?

9           INMATE CRONK: Well, I've got a number of  
10 possibilities. One would be I would be the  
11 Marin County Impact Facilitator working with the  
12 CYA. We just got another contract with CYA, and  
13 I don't know if you read in there, but me and my  
14 fellow lifers, we designed this group and wrote  
15 this program out, and they are facilitating in  
16 Fresno and Stockton and various areas already,  
17 and it's a paid position. Additionally, I'm an  
18 electrician. I went through the apprenticeship  
19 and completed it. I'm also an audio engineer  
20 and have many contacts in that field, so --

21           ATTORNEY FATHY: And he fixed the tele-  
22 conferencing.

23           INMATE CRONK: And between Kathleen, and  
24 she's lived in San Anselmo all her life and my  
25 church in Tiburon, I've got countless employment  
26 opportunities. And some of them have written  
27 letters stating such. The problem is that, you

1 know, this is ended. We don't know if and  
2 whenever I may be released, and so it's  
3 difficult for them to say, oh, on such and such  
4 a day, he'll become CEO of my corporation and  
5 all will be good, and that's impossible. I can  
6 just assure that finding employment and getting  
7 a meaningful job while I establish myself really  
8 isn't going to be an issue for me. I have many  
9 skills. I also intend to start my own business  
10 eventually, but that would be some time down the  
11 road.

12           **PRESIDING COMMISSIONER LEE:** All right.  
13 However, you do have a residence if you were  
14 required to go back to Sacramento. You would  
15 stay with Chris Shirley, S-H-I-R-L-E-Y. You  
16 have two sisters, Kebe, again -- I don't know  
17 exactly how to spell her, pronounce her name, as  
18 well as Pamela. Both, of course, have offered  
19 you places to stay; however, they are in  
20 Wisconsin as well. Sir, at this point in time,  
21 I guess the best thing for us to do is go  
22 through your letters of support. We will  
23 initially go to, and again, I've indicated this  
24 earlier that I will not read each letter or go  
25 through each letter since there are too many at  
26 this point in time, but as far as your sister  
27 goes, I have a letter from both sisters. The

1 first one I will read is from your sister, Kebe.

2 Is it Kebe?

3 INMATE CRONK: Kebe.

4 DEPUTY COMMISSIONER THOMPSON: Kebe. And  
5 she basically indicates that you are remorseful.  
6 She's your older sister. She has prayed for you  
7 all her life. She basically indicates that she  
8 wishes you to have an opportunity to be released  
9 so that you can prove that you can be a part of  
10 society, and she apologizes for writing because  
11 her typewriter is broken, and she's in -- I have  
12 no idea how to say this either, W-A-U-K-E-S-H-A,  
13 Waukesha.

14 INMATE CRONK: Waukesha.

15 PRESIDING COMMISSIONER LEE: Waukesha,  
16 Wisconsin. I wish these letters were in order,  
17 but unfortunately, they're not, so we're going  
18 to have to flip a little bit. I don't want to  
19 skip your other sister. Your other sister is  
20 Pamela Vetta. She also wrote a letter. She  
21 indicates that my husband and I have been  
22 married for 30 years and have much to offer in  
23 regards to employment, housing, and  
24 transportation for --

25 DEPUTY DISTRICT ATTORNEY GOLD: Mr. Lee.

26 PRESIDING COMMISSIONER LEE: Yes.

27 DEPUTY DISTRICT ATTORNEY GOLD: Would it

1 be possible to speak more into the microphone  
2 because I'm having trouble hearing.

3 PRESIDING COMMISSIONER LEE: Is that  
4 better?

5 DEPUTY DISTRICT ATTORNEY GOLD: Yes.

6 UNIDENTIFIED SPEAKER: Excuse me, Mr.  
7 Lee, but it's this microphone.

8 PRESIDING COMMISSIONER LEE: Let me move  
9 it down (indiscernible).

10 UNIDENTIFIED SPEAKER: Thank you.

11 PRESIDING COMMISSIONER LEE: How is that?  
12 Is that better?

13 DEPUTY DISTRICT ATTORNEY GOLD: Thank  
14 you. Yes.

15 PRESIDING COMMISSIONER LEE: Okay. I am  
16 referring to the inmate's oldest sisters, and  
17 she wrote a letter indicating that her husband  
18 and she have been married for 30 years and have  
19 much to offer in regards to employment, housing,  
20 and transportation. She does not give an  
21 address, but I know she also lives in Wisconsin  
22 as well. She indicates that she herself is a  
23 recovering alcoholic, very active in the 12 Step  
24 Program. I am, of course, a sponsor for many  
25 like myself. Don has continued upgrading his  
26 educational, his education, getting  
27 certificates, teaching self-help groups, and



1 remains disciplinary-free. The next letter is  
2 from the Tiburon Baptist Church. It is from the  
3 Pastor, Barry Stircker, S-T-I-R-C-K-E-R.

4 "For several years, I have written  
5 letters in support of the inmate.  
6 I have known the inmate for over  
7 nine years through my involvement  
8 with programs in the prison. It  
9 appears that Tiburon's Baptist  
10 Church does a big deal of outreach  
11 in the San Quentin facility. Our  
12 church is willing to commit to the  
13 inmate, the support and assistance  
14 necessary for his transition into  
15 life outside. I am certain that  
16 he will have a vital and  
17 substantial support and that he is  
18 ready for the next stage of his  
19 life. Our church sponsors an AA  
20 group that meets weekly in our  
21 facility."

22 The next letter is from Chris McCarthy. He  
23 knows the inmate through a mutual friend by the  
24 name of Chris Shirley. He indicates that he  
25 will hire the inmate if the inmate is released  
26 to Sacramento County as a house painter. The  
27 next letter is from Patricia Cabral. She

1    apparently is a friend of the inmate's fiancée,  
2    Kathleen Giono. She basically has indicated  
3    that she would be willing to pledge 50 dollars a  
4    month for his release. What do you know about  
5    Ms. Cabral, sir?

6            **INMATE CRONK:** I don't know much. She's  
7    come to visit me, and she's a very lifelong  
8    friend of Kathleen's.

9            **PRESIDING COMMISSIONER LEE:** Is she an  
10   older lady?

11           **INMATE CRONK:** In her 50s.

12           **ATTORNEY FATHY:** That's young.

13           **PRESIDING COMMISSIONER LEE:** I don't want  
14   to go there. But I guess that's not often that  
15   I have someone who will actually pledge an  
16   amount for an inmate. This is the very first  
17   time I've actually ever seen it, outside of a  
18   relative. Okay. And she, of course, is not in  
19   California. She is in Eugene, Oregon. The next  
20   letter is an important letter. The next letter  
21   I will read portions of because it is from the  
22   inmate's fiancée. It is dated January of 2005.

23           "I was born and have lived in San  
24   Anselmo, Marin County all my life.  
25   I own a home and manage a travel  
26   agency in the town of Corte  
27   Madera. I have friends and family

1 and contacts in the community, and  
2 combined with Donald's skills,  
3 finding meaningful employment will  
4 be no problem. I met the inmate  
5 in 1991 and slowly developed a  
6 deeply caring, loving, and serious  
7 relationship with him. We plan to  
8 be married upon his release."

9 How did you come to meet your fiancée?

10 **INMATE CRONK:** It was during an album  
11 recording project that I was on with the Gospel  
12 Choir of San Quentin which was released, and she  
13 was involved in that and came into the prison.

14 **PRESIDING COMMISSIONER LEE:** Okay. And  
15 what was she doing? She was singing or  
16 something?

17 **INMATE CRONK:** No. Just a part of the  
18 community that came in that was interested. It  
19 was quite a large event at the time and the  
20 first time in the State of California that it  
21 had ever happened, and so it drew a lot of  
22 people, a lot of supporters, a lot of media, and  
23 hoopla.

24 **PRESIDING COMMISSIONER LEE:** Okay. The  
25 next letter is from Losier (phonetic) McDonald,  
26 and it basically --

27 **ATTORNEY FATHY:** Who is it?

1           PRESIDING COMMISSIONER LEE: McDonald, it  
2 indicates that,  
3           "I was a TV producer for the  
4 Southern Baptist Radio and  
5 Television Commission until my  
6 retirement three years ago. We  
7 and three other religious groups  
8 made programs each year for NBC  
9 and ABC to use as their religious  
10 affairs programming, and I  
11 produced NBC's show for ten years.  
12 Don was singled out by officials  
13 at San Quentin as one who  
14 practiced what he preached, and  
15 after researching three potential  
16 stories, I chose Don. It was a  
17 story which showed the practical  
18 difference God makes in a prison,  
19 in a person's life when it is  
20 genuine, where there is a genuine  
21 and continuing commitment. Former  
22 Dallas Cowboy football coach, the  
23 late Tom Landry, hosted the  
24 program and was impressed with the  
25 obvious difference in Don."  
26 He apparently lives in Fort Worth, Texas. He's  
27 saying basically he wishes us to consider

1 paroling the inmate. Cal Jackson is an  
2 individual who knows the inmate,  
3 "Don Cronk has certainly improved  
4 himself while incarcerated. He  
5 has a perfect record with no  
6 disciplinary action taken against  
7 him. He has received a GED, an  
8 Associate of Arts from Patton  
9 University, and is now working on  
10 a Bachelors degree from Ohio  
11 University. I met Don through the  
12 Garden Chapel Program and was  
13 taken by his profound faith in  
14 Jesus Christ. He is an  
15 outstanding Christian, one who  
16 lives by and obeys the word of  
17 God. He helps his fellow inmates  
18 by doing various Bible studies  
19 with them in his cellblock and  
20 living out the truth he speaks and  
21 teaches in his daily life."

22 Sir, there seems to be mention in these letters  
23 about your religious beliefs. Did that occur  
24 once you were incarcerated?

25 INMATE CRONK: In 1989 to be exact.

26 PRESIDING COMMISSIONER LEE: In 1989.

27 Excuse me. That was 18 years after your

1 imprisonment?

2 INMATE CRONK: No.

3 PRESIDING COMMISSIONER LEE: Excuse me,  
4 eight, nine years.

5 INMATE CRONK: About nine, yes, Sir.

6 PRESIDING COMMISSIONER LEE: Nine years,  
7 and what occurred in 1989?

8 INMATE CRONK: You know, I was talking  
9 with Mr. Fathy this morning, and I really can't  
10 put my finger on any one thing. I just know  
11 that at that point in my life, I began to, I  
12 don't know, grow up perhaps and get in touch  
13 with reality and the reality and gravity of my  
14 situation. And I didn't know anything about  
15 God. In fact, I thought very little about God.  
16 He took my father the way he did, and so I  
17 didn't have much respect for the man. But a  
18 change began, and I wish I could, I wish I knew  
19 the formula. I wish I knew how to sell that or  
20 patent that, whatever, but I don't know, and I  
21 started going to the chapel, and I'd listen to  
22 the choir sing, and I'd listen to the pastor  
23 preach, and I just remember that there was  
24 something there. There was something there for  
25 me, and I realized that no matter what I'd done  
26 and no matter how despicable a person I had  
27 become that I didn't have to remain that way,

1 and that whether society or the Allen family or  
2 anyone else ever forgave me, Christ said he  
3 would, and I needed that. I needed that to  
4 begin my healing and my journey. And so I  
5 remained there, and eventually, I gave my life  
6 over to Christ, and I've been active 100 percent  
7 ever since, and I teach, and I preach, and I've  
8 gotten my ministry certification. I've put a  
9 lot, a lot, a lot work in it, many, many years  
10 because I believe it, and I live it, and I'll  
11 die with it.

12           **PRESIDING COMMISSIONER LEE:** I find this  
13 interesting, and I find this interesting I  
14 recently heard a statistic that came through the  
15 Board that individuals who have experiences in  
16 prison are just as likely, if not more likely,  
17 to have problems once released than others.  
18 That seems to be amazing because one seems to  
19 think that individuals who have spiritual  
20 awakenings of sorts in prison would, one just  
21 naturally assumes that they would do better. It  
22 appears that when people go out, things don't  
23 turn out the way that they expect. I think that  
24 maybe they expect life to be a lot different  
25 because of the fact of their religious  
26 experiences, but when they go out, they find  
27 that there is still rejection. There is still

1 unfairness, injustice, difficulties. It is a  
2 (indiscernible). I'm just curious. How do you  
3 respond to that?

4 **INMATE CRONK:** I see it in here. I've  
5 been here a long time. I see the guys come in,  
6 and I see the ones that generally give their  
7 lives to Christ, and there is a change, and  
8 there's always going to be some that are  
9 peripheral. They hang on. It's like their  
10 seeking. It's like they want, but they don't, I  
11 don't know if they're ready to fully commit, and  
12 all I could say on my behalf is that this is  
13 fully what I intend to do upon my release. I  
14 mean, instead of straying from it, I'm intending  
15 to gravitate toward it, between the Impact and  
16 the Domestic Violence and the Overcomers which I  
17 will facilitate and begin in Tiburon. I do  
18 preach, I speak, and I just -- if I could, if I  
19 could, you know, give to you that the redeeming  
20 quality and the gracefulness of Christ that he's  
21 given me that has given me a positive outlook  
22 for life and for future.

23 **PRESIDING COMMISSIONER LEE:** I understand  
24 that, but sometimes you go out, and the  
25 organization that wanted to hire no longer has  
26 the funds to hire you. People don't want to  
27 hear you speak anymore. You have to figure a



1 way to make the bills. You have a family. You  
2 have responsibilities. You and your wife don't  
3 get along. Sometimes the life that you project  
4 while you are in here doesn't work out, out  
5 there, that maybe some promises are made for not  
6 this life but the next, how do you respond to  
7 the fact that it may be a lot tougher out there  
8 than you anticipate right now?

9 **INMATE CRONK:** I do anticipate it. I  
10 believe my greatest challenge is upon my  
11 release. This has been stressful. It's been  
12 trying, but it's all been in preparation. As I  
13 said earlier, I can't bring Mr. Allen back, but  
14 I thought that perhaps I could become a better  
15 person, and in that process I did discover  
16 Christ, and then with that, I've gone and I've  
17 reached others and brought others to the same  
18 realization.

19 **PRESIDING COMMISSIONER LEE:** Yes. You're  
20 dancing around the subject.

21 **ATTORNEY FATHY:** (indiscernible) do you  
22 know what the Commissioner is asking is look,  
23 this is a more protected environment in a lot of  
24 respects than outside, so what happens, what do  
25 you think will happen or what's your plan to  
26 deal with the normal, pardon my vernacular,  
27 crap, that happens in life, when you and Kathy

1 have a fight, or when a work thing that you know  
2 you're good at, you can do a great job, they  
3 fire you? And obviously, his concern is what do  
4 you see happening when life is --

5 INMATE CRONK: Yeah. I understand.

6 PRESIDING COMMISSIONER LEE: You don't  
7 have the luxury to self-medicate any further.  
8 because the other rest of us, we have that  
9 option, but I assure you, sir, if you get a date  
10 from this Commissioner, and you touch alcohol or  
11 you touch drugs, you'll be back in the cue very  
12 quickly. So the thing is that how would you  
13 respond just as your attorney indicated?

14 INMATE CRONK: Yeah. I understand now.  
15 I'm sorry. I received the question wrong. I  
16 think the difference now, today for me than 25  
17 years ago is I have the tools to put into  
18 practice what I have learned and what I do  
19 preach. If I need a job, I know how to research  
20 Monster dot com and go to EDT and go around and  
21 network and ask and beat the pavement if I have  
22 to and get a job. I'll work. I'm not too  
23 proud. After an experience like this, there's  
24 not much room for ego.

25 ATTORNEY FATHY: But what will sustain  
26 you when it is a rotten day?

27 INMATE CRONK: My belief, my faith, I

1 mean, I don't need anyone else for that. I  
2 don't need this place for that. I have a belief  
3 system now. He in fact will sustain me and  
4 bring me through whatever hardships I have.  
5 People will have arguments. Kathleen and I may  
6 not get along always and some days. I  
7 understand that. I know how to seek out  
8 counseling. I know where to ask. I know who to  
9 ask. Twenty-five years ago I would of cared  
10 less. I had all the answers. I knew  
11 everything, and that is no longer the case. As  
12 far as drugs or alcohol, I've made it -- if I,  
13 if you could just know, I know what drugs and  
14 alcohol do, and I know what they did to me. And  
15 I can't revisit them ever again, and I  
16 understand that. I watch these guys come in and  
17 out of here in Orange. They leave and they come  
18 back. They leave and come back. Almost every  
19 single time it's because of drugs and alcohol.  
20 If I had my way, it would be banned from  
21 society.

22 PRESIDING COMMISSIONER LEE: It is.

23 INMATE CRONK: But there are -- well, I  
24 mean, the alcohol especially, I mean. But  
25 there's many people that can use things  
26 responsibly as you were saying, and that's fine.  
27 I'm not one of them, and my life's work includes

1 the 12 Steps. That's why it's an Overcomers,  
2 and it's the practices and the principles that  
3 we apply to daily life. There's drugs here.  
4 There's alcohol. Okay. Yesterday, they just  
5 busted about 30 gallons of alcohol in our  
6 housing unit. It's here everyday. I don't use  
7 it. I don't seek it. I don't need it. When I  
8 was a young individual involved in cocaine, I  
9 was seeking that enlightenment, and I was  
10 seeking that medication, that escape. I didn't  
11 like who I was. I didn't like the hand I'd been  
12 dealt, and ultimately, I end up in prison.  
13 Well, guess what, that was the hand I was dealt,  
14 and that's -- I had to learn to like myself.  
15 And it took a lot of years. I was in the county  
16 jail for over three years, and I want to tell  
17 you, sir, that had they released me at that  
18 point, I was done with criminality. If we just  
19 want to talk about committing a crime, I was  
20 finished. That jail experience was enough for  
21 me at that time. But I can tell you today that  
22 I thank God, I thank God that I was held  
23 accountable and that I came to this prison and  
24 spent the next 22 years of my life because I  
25 look who I am now. I look who -- I'm not proud  
26 of what I did, but I'm pleased with who I'm  
27 becoming, and it hasn't been easy, and it is a

1 struggle, and no matter what I do or where I go  
2 or what I say, I'm always going to be the  
3 murderer of Mr. James Allen. And I don't take  
4 that lightly, and I don't ever forget that, and  
5 I know that we sit in here and everything is  
6 black and white, and we can go back 20 years, 30  
7 years, and of course, things look and sound a  
8 certain way, and I recoil at some of what you  
9 read. But that was then, and this is now, and I  
10 understand, you know, the decision you have to  
11 make here. I understand. I appreciate that.

12           **PRESIDING COMMISSIONER LEE:** You've got a  
13 life sentence. You were sentenced to 25 years  
14 to life plus three years for the weapons  
15 enhancement.

16           **INMATE CRONK:** Yes, Sir.

17           **PRESIDING COMMISSIONER LEE:** It is  
18 conceivable that you may spend the rest of your  
19 life in jail.

20           **INMATE CRONK:** Yes, Sir.

21           **PRESIDING COMMISSIONER LEE:** Or in prison  
22 I should say. What are you going to do?

23           **INMATE CRONK:** Well, I'm going to do what  
24 I've been doing because it's what I've come to  
25 know. It's the -- you know, I want to tell you  
26 I think I had any values. I don't think I had  
27 moral values or ethics when I was out. I mean,

1 I certainly wasn't taught well as a young kid on  
2 a poor farm and then I made all the wrong  
3 choices, but I did with what I had to work with.  
4 And if I have to stay in here, I mean, I'm  
5 human, I have hope, I have goals that I'd like  
6 to see, but if I stay in here and I continue to  
7 do the work that I've been doing, then that's  
8 the way it is, then that will have to sustain  
9 me. I have no other choice. I'm not going to  
10 commit suicide. I'm not going to give up. With  
11 my luck, I'll live to be 106, but if that is the  
12 case, that is the case. And if I thought that  
13 my spending eternity in here would somehow, you  
14 know, bring Mr. Allen back or help the Allen  
15 family in some way, then I would be first in  
16 line to sign up for that, but I don't believe  
17 that. I don't believe that. I believe that I  
18 can accomplish more and do -- if I can do any  
19 good for anybody, for society, for the Allen  
20 family I certainly can do it from a position,  
21 when I'm in a position to do so, I'm limited  
22 here. My hands are tied. What we say isn't  
23 believed. Everything is a manipulation. It's  
24 just a game. It's hard to live with too. And  
25 when you're pulling your heart and your guts out  
26 to somebody and whether it's in this kind of a  
27 hearing or one of the groups or the victims'

1 groups or whatever I'm working with, you know,  
2 I've got to every morning just pray and for  
3 strength to do get up and do it again because I  
4 know that. I've not going to be deceived. I'm  
5 not going to be, you know, people are skeptical  
6 and cynical. But you know, that's what I  
7 brought on myself. That's my position, and just  
8 by the grace of God he's given me that strength  
9 and that outlook. No, Mr. Lee, I don't want to  
10 die in prison. I really, I don't. And it would  
11 be my hope that I would be released someday. I  
12 don't know if anyone ever deserves it. I killed  
13 Mr. Allen. It was a life sentence.

14 **PRESIDING COMMISSIONER LEE:** All right.  
15 At this point in time, I will tell you that  
16 there are 3042 Notices. 3042 Notices are  
17 notices sent out to various organizations and  
18 individuals who have special interest in your  
19 case. There has been a response. Obviously,  
20 the District Attorney, the Deputy District  
21 Attorney, will indicate the position of the  
22 People in regards to your suitability for  
23 parole. I will however read at this point in  
24 time a letter. This is a letter from a next of  
25 kin. Well, let me just read this.

26 "September 12<sup>th</sup>, 2005, Dear Members  
27 of the Panel, although I have

1 chosen not to attend the hearing,  
2 I do not wish my absence to be  
3 mistaken for indifference or  
4 apathy. My stance on the outcome  
5 of the proceedings is and always  
6 will be that the inmate should  
7 remain incarcerated for the  
8 duration of his life. After  
9 today, I will no longer give  
10 energy to this trauma of my past.  
11 I choose instead to live in the  
12 present moment. My personal  
13 journey continues to be one of  
14 striving toward transformation in  
15 life. Personally, I find the  
16 revisiting evil and  
17 counterproductive to the healing  
18 process. Over and over again, we  
19 are asked each year to address the  
20 issue of parole in the  
21 perpetrators of this violent  
22 crime. My father was an only  
23 child, and his mother still lives  
24 today, nearly 99 years old. In  
25 all probability, my father would  
26 be here with us today at the age  
27 of 75 to share milestones, his



1 wisdom, love, support, caring, to  
2 know his ten grandchildren. There  
3 can be no understanding the fact  
4 that the life of our family was  
5 irreversibly and forever taken by  
6 the actions of the inmate. A  
7 little over a year ago in an  
8 attempt to put several  
9 incongruities to rest, I chose to  
10 review my father's murder case  
11 file, viewing, excuse me, crime  
12 scene photos for the first time,  
13 reading parole transcripts, and  
14 carefully reviewing statements and  
15 evidence in the case. Not  
16 surprisingly, it became apparent  
17 to me that my father suffered the  
18 common fate of countless silent  
19 victims who had no voice and  
20 therefore was not justly  
21 represented. More disturbing to  
22 learn was the process that our  
23 clearly overburdened legal system  
24 was forced to (indiscernible)  
25 expedite closure of this case.  
26 This worked out unfortunately in  
27 favor of the defendant who

1 benefited from being sentenced to  
2 a much lesser offense than, much  
3 lesser offense as a result of a  
4 plea bargain. I encountered  
5 statements made by the inmate  
6 which were clearly in conflict  
7 with the evidence and photographs  
8 on file. Distortions and untruths  
9 claimed by the inmate were evident  
10 time and time again. I found it  
11 disheartening to learn that these  
12 untruths actually gained a form of  
13 validity over the ensuing years,  
14 bias and self-motivated statements  
15 made in order to attempt to  
16 minimize his actions and intent  
17 during the commission of the  
18 offense in order to lessen the  
19 degree of accountability. In my  
20 opinion, showing genuine remorse  
21 for this crime or being fully  
22 accountable for one's actions is  
23 not demonstrated by someone who  
24 spins the truth to gain advantage  
25 and usage, excuse me, and uses the  
26 passage of time to cloud and  
27 diminish the degree of

1 responsibility he is accountable  
2 for. I uphold my belief that the  
3 vibration of truth resonates  
4 eternally in its purest form  
5 throughout the universe and cannot  
6 be altered. It can be said that  
7 ever education comes with a price,  
8 and the price of Donald Cronk's  
9 education was more than excessive.  
10 It was paid for with my father's  
11 life and the suffering of  
12 countless others and the enormous  
13 expense to our society. If  
14 enlightenment has truly been  
15 outcome of his crime, I cannot  
16 comprehend how Donald Cronk could  
17 ever believe in his heart that his  
18 debt has been paid in full and is  
19 worthy of parole. Given the fact  
20 that a life was taken for nothing  
21 more than a paltry and pathetic  
22 motive, I believe that the inmate  
23 should be expected to repay his  
24 debt to the fullest amount  
25 possible in his lifetime. I  
26 respectfully ask that he be held  
27 accountable to our society by his

1           peers and be denied parole for the  
2           duration of his life."

3   Counsel, though I've indicated I do not wish to  
4   take into account the other letter since counsel  
5   for the inmate, you, and I do not have that  
6   letter, if there is any clarification in regards  
7   to discrepancies mentioned by Ms. Carole Allen  
8   Veragus, I would ask that you address them if  
9   that is possible. Having said that, do you have  
10  any questions of the inmate at this time?

11           **DEPUTY DISTRICT ATTORNEY GOLD:** Yes.

12           **PRESIDING COMMISSIONER LEE:** All right.  
13   Would you address your questions to the Panel,  
14   and sir, you answer the questions to the Panel.

15           **DEPUTY DISTRICT ATTORNEY GOLD:** Do I  
16   address them to you, Mr. Lee?

17           **PRESIDING COMMISSIONER LEE:** Yes.

18           **DEPUTY DISTRICT ATTORNEY GOLD:** Okay. I  
19   would ask if you could ask Mr. Cronk with  
20   respect to the offense, how long it was that he  
21   and Mr. Meyer waited inside the residence from  
22   the time that they broke in, for Mr. Allen to  
23   return.

24           **PRESIDING COMMISSIONER LEE:** You may  
25   answer.

26           **INMATE CRONK:** I'm not clear on the exact  
27   amount of time, 30 minutes perhaps, 45 minutes.

1 I'm not sure.

2 PRESIDING COMMISSIONER LEE: The next  
3 question.

4 DEPUTY DISTRICT ATTORNEY GOLD: I would  
5 ask if you could ask Mr. Cronk, since it was  
6 close to Christmas time, were there some  
7 decorations on the door such as some bells that  
8 did cause you to be aware that he was at the  
9 door and opening the door when Mr. Allen  
10 arrived.

11 INMATE CRONK: I was aware of the bells  
12 and which would have been a warning for me to  
13 take cover. We were going to surprise Mr. Allen  
14 as he walked through the door. I didn't hear  
15 the bells if they rang, or I wouldn't have  
16 walked just right into him through the kitchen.

17 DEPUTY DISTRICT ATTORNEY GOLD: Mr. Lee,  
18 could you ask the Mr. Cronk if he was the only  
19 one that had a gun with him, and why was his gun  
20 loaded?

21 INMATE CRONK: I was the only one that  
22 had a gun, and it was handed to me when we got  
23 in Mr. Meyer's vehicle to go to Mr. Allen's  
24 residence. Mr., I don't know where Mr. Meyer  
25 got the gun or how long he'd had it, and he gave  
26 it to me, and I put it in my pocket, and I  
27 remember him saying to me, just in case.

1           DEPUTY DISTRICT ATTORNEY GOLD: Mr. Lee,  
2 could you ask Mr. Cronk if since he was aware  
3 through the planning that had been taking place  
4 that Mr. Allen had a very valuable ring and had  
5 valuables in a briefcase that he carried, and  
6 because of the nature of his business, dealing  
7 with valuables, did he expect that he would  
8 probably be armed, and there was going to be an  
9 armed confrontation by you waiting for him with  
10 designs to take the ring off his finger.

11           INMATE CRONK: No. I didn't anticipate  
12 anything like that. I mean, I wasn't, I was  
13 working with two guys in this. They were ex-  
14 convicts, and Mr. Warren is the main planner  
15 behind this thing, and I allowed myself to be  
16 talked into going along because it seemed like  
17 an easy enough thing, in and out, a lot of  
18 money. Mr. Meyer, my co-defendant, as I said is  
19 an ex-felon, and he's a very large muscle-bound  
20 man. And in the police report you'll see that  
21 he also carried a club, and the club was to be  
22 the main weapon used as to intimidate Mr. Allen.  
23 We wore gloves and masks and had the baby oil  
24 because we knew once he was taped up, the ring  
25 probably wouldn't come off. And had we heard  
26 the bells or if Mr. Warren would have called,  
27 again, for whatever it's worth, we were going to

1 hide as Mr. Allen came into his residence. That  
2 never occurred. I didn't know that Mr. Allen  
3 would be armed. I didn't know the full nature  
4 of his business, and I didn't give it any  
5 thought whatsoever.

6 **DEPUTY DISTRICT ATTORNEY GOLD:** Mr. Lee,  
7 could you ask Mr. Cronk not just with respect to  
8 this offense, more philosophically, you indicate  
9 din Wisconsin you did a robbery. In some of  
10 your reports in your packet, there's reference  
11 that you had done another robbery with Mr. Meyer  
12 preceding the offense with Mr. Allen. Why is it  
13 that you are a person that would rob people as  
14 opposed to someone that would steal from  
15 buildings, avoiding people? Why is it that you  
16 take money from people?

17 **INMATE CRONK:** Well, I was introduced to  
18 robbery by Mr. Meyer, and I'm not shirking  
19 responsibility. He didn't hold the gun to my  
20 head and make me do any of the things, but  
21 that's what he did, and that's why he'd been in  
22 prison a few times, and he was a very  
23 charismatic guy and a convincing guy, and we're  
24 both destitute now and hooked on coke, and it  
25 seemed like the easiest thing to do. He'd never  
26 had any problems before with confrontations  
27 apparently, although he'd been arrested at some

1 point in his past, and I followed his lead so to  
2 speak.

3 DEPUTY DISTRICT ATTORNEY GOLD: I just  
4 have a couple more questions. Mr. Lee, could  
5 you ask Mr. Cronk who it was that removed the  
6 ring from Mr. Allen after he was shot?

7 INMATE CRONK: Well, that's clear in the  
8 record over and over again. Mr. Meyer did.  
9 When I was shot, I was thrown to the floor, and  
10 when I shot back, this whole thing takes second,  
11 five, six, seven seconds, I don't know how long,  
12 and I ran out the door, and I ran across the  
13 street until I collapsed. I didn't even know  
14 that I'd been hit yet. It happened so quickly,  
15 I couldn't explain why I was on the floor, but  
16 my mind was still trying to reconcile how was  
17 Mr. Allen in the house? The phone didn't ring.  
18 The bells didn't ring. So I'm outside. Mr.  
19 Meyer stopped and picked up the guns and the  
20 jewels and took the ring off and walked out the  
21 door, got in his vehicle, and drove around up  
22 and down the street until he found me laying  
23 against a power pack next to some apartment  
24 building.

25 DEPUTY DISTRICT ATTORNEY GOLD: Mr. Lee,  
26 could you ask Mr. Cronk when is the last time  
27 that you have done some AA and NA training there



1 at Quentin?

2 **INMATE CRONK:** I taught the class last  
3 Thursday night and tomorrow night is my next  
4 class, and I'm the facilitator of it, 12-Step  
5 program.

6 **PRESIDING COMMISSIONER LEE:** Anything  
7 further?

8 **DEPUTY DISTRICT ATTORNEY GOLD:** Just one  
9 question in one area, do you recall, could you  
10 ask Mr. Cronk, Mr. Lee, back in 2003 there was a  
11 profile of you that appeared in the San  
12 Francisco Chronicle, and the article covered  
13 your transformation of your life at San Quentin,  
14 but it also covered the Allen's family's  
15 destruction since the commission of the crime,  
16 and it had a parallel of how you have somewhat  
17 been prospering, and they have somewhat been  
18 suffering, and you wrote a letter to the  
19 reporter the day after the article appeared  
20 accusing her of ambush journalism and that she  
21 never mentioned that she was going to interview  
22 the victim's family and tell their story, and  
23 you expressed anger to her, and I wanted to know  
24 why, knowing the way that you feel about Christ  
25 and the victim's family, why would you be angry  
26 at the reporter that she would share with the  
27 readers the consequences of your offense?

1           INMATE CRONK: Mr. Gold, we went over  
2 this last year in depth. I don't know why  
3 you're bringing it up again, but I'll answer the  
4 question. I wasn't angry that the reporter  
5 highlighted my crime or showed the Allen's side  
6 of the story. The problem with it was is that  
7 that's not what the story was to be about at  
8 all. If you recall, Mr. Crittendon in the  
9 prison public relations office had brought these  
10 people to me and said this was going to be a  
11 different kind of story, a story about  
12 rehabilitation only, and I have been interviewed  
13 countless times throughout the years and been on  
14 television and different things, and I've always  
15 asked one thing of the reporters and that is not  
16 to drag the Allen family through whatever it is  
17 they're going to do about me. Say what you want  
18 about me, but I don't have the right or the  
19 permission to involve the Allen family, and so I  
20 have in my way, accept this for what you will,  
21 tried to protect them from any of that. I've  
22 never had a negative thing happen like that,  
23 although, I've had my crime detailed and laid  
24 out there, my family history, for the whole  
25 world to see. That doesn't bother me at all. I  
26 didn't have the right to drag the Allen family  
27 through this. I didn't know what they were

1 going through. I don't know what a reporter is  
2 going to do when they go and ask these  
3 questions, and I didn't want, I had no  
4 permission to authorize that, and I had asked  
5 her specifically, and she assured me, no, this  
6 is about rehabilitation in prison, and that's  
7 all. Six months later, the article comes out,  
8 and it had nothing to do with what she told us  
9 it had to do with. Mr. Crittendon was also  
10 upset about that, and that's who I asked  
11 permission to write the reporter.

12 **DEPUTY DISTRICT ATTORNEY GOLD:** Thank  
13 you, Mr. Lee.

14 **PRESIDING COMMISSIONER LEE:** Thank you.  
15 Counsel, do you have any questions of your  
16 client?

17 **ATTORNEY FATHY:** I have no questions of  
18 my client.

19 **PRESIDING COMMISSIONER LEE:** All right.  
20 We'll go to statements at this time. Counsel  
21 for Sacramento, you may be heard.

22 **DEPUTY DISTRICT ATTORNEY GOLD:** Thank  
23 you. Commissioners, you did read the letter  
24 from Mr. Allen's daughter. I did want though to  
25 mention that there are certain statements of Mr.  
26 Allen's wife in the probation report that is  
27 part of the record, and I think it's part of the

1 record --

2 PRESIDING COMMISSIONER LEE: Go right  
3 ahead.

4 DEPUTY DISTRICT ATTORNEY GOLD: Okay.  
5 Virginia Allen, like her daughter, is also very  
6 much opposed to Mr. Cronk's release. I think  
7 she has stated in the past that he has never  
8 apologized or expressed remorse to her. To Mr.  
9 Cronk's credit, I believe that he would if she  
10 asked because he has said he would but he has  
11 been directed by the prison not to, but Ms.  
12 Allen has been completely devastated from the  
13 crime that this crime even until today. When we  
14 spoke this morning she indicated that she pays a  
15 lot of attention to the people harmed by Katrina  
16 because she understands what it's like to lose  
17 every single thing that you have. The day that  
18 her husband was murdered was one day before her  
19 wedding anniversary, and six days before  
20 Christmas, and the holidays are a terrible time  
21 for her and always will be. She was in a family  
22 where he husband was the patriarch of their  
23 family, that she was very much dependent on in  
24 those periods of time when the husband worked,  
25 and financially, she was wiped out and has never  
26 really recovered and lives somewhat of a meager  
27 existence in Sacramento, and she had been

1 married at that time almost 27 years. So I  
2 wanted those views expressed. Briefly, I wanted  
3 to comment on some of the documents that you had  
4 referred to, some minor inaccuracies. In his  
5 life prisoner evaluation, the most recent one in  
6 August of 2005 on page two, Mr. Cronk indicates  
7 that he wants the record to reflect that he  
8 originally planned the crime as a burglary only,  
9 but I think if you look at more of the documents  
10 contained in the complete record, that's not  
11 consistent with the true picture. In the  
12 probation report which is at the back of the  
13 packet, in his report it's mentioned that plans  
14 about this particular crime had been discussed  
15 on various occasions by Mr. Meyer and others  
16 including Mr. Cronk since the summer of 1980 and  
17 that the plan involved to rob him in his home  
18 sometime before, and that the day before the  
19 crime, Mr. Cronk and his two defendants actually  
20 followed the victim from his place of work to  
21 where his lived. So I think the record ought to  
22 be very clear that although there may have been  
23 a fleeting moment, let's just do a burglary, in  
24 reality, this was a very detailed plan to rob a  
25 person and not a place, and there's a big  
26 difference between a burglar and a robber.  
27 Also, the plan was to assault the victim, tie

1 him up, remove his ring, and everything else  
2 that they knew he carried, and to that effect,  
3 they brought gloves, they brought some cord to  
4 tie him up, a billy club, some baby oil, and a  
5 loaded gun. And while Mr. Cronk indicates that  
6 he had no idea that the victim would be armed,  
7 that there would be some resistance, I think  
8 commonsense, especially when you have experience  
9 with robbing people as he had had, you know  
10 people are going to react in very different  
11 ways. You're going to be prepared yourself to  
12 kill somebody if they're trying to kill you.  
13 And I think it's likely that an owner of the  
14 type of business he had with the bags he had is  
15 going to be armed, especially when they come  
16 into their home and people are there, they're  
17 going fight for their lives. And that is an  
18 extremely serious planning of an enormous crime  
19 that Mr. Cronk had done. With respect to the  
20 psychiatric evaluation, the most recent one  
21 conducted by Dr. Inaba on June 30<sup>th</sup>, I'm not  
22 sure if it's a she or a he.

23 INMATE CRONK: She.

24 DEPUTY DISTRICT ATTORNEY GOLD: It's a  
25 she. Michael (indiscernible), she indicates on  
26 page three that the inmate's version, a  
27 characterization of the offense, it's a very

1 distorted view. She says that he was engaged in  
2 a robbery of the victim's home, and the victim  
3 returned to the residence surprising the victim  
4 and the partner of his crime. I don't think  
5 that's what Mr. Cronk told her. I think he  
6 certainly he has been candid to a lot of  
7 details, but I think she is greatly confused or  
8 minimizing when she summarizes it that way. You  
9 don't rob a home. You rob a person, and he did  
10 not surprise him. They were waiting for him,  
11 and they knew that there was going to be some  
12 confrontation, and maybe they thought they would  
13 be able to take more advantage of him, but it  
14 wasn't like they were doing a burglary, and the  
15 homeowner came home and caught them in their  
16 plan or design. She also states in the report  
17 that with respect to his risk of violence on  
18 page three, in past reports she authored  
19 including the most recent one that she had done  
20 in October of 2001, she has a sentence that  
21 causative factors for violence and criminal  
22 activity are multi determined and that violence  
23 potential is unpredictable. She's deleted that  
24 from this report. I don't understand how she  
25 can delete that since not much in his life has  
26 changed between 2001 and 2005. He is still  
27 programming very well and progressing, but I

1 think that sentence she wrote before still  
2 remains true, and she deleted that for a  
3 purpose. Also, she indicated on page four in  
4 her conclusion, it's the third paragraph, in her  
5 opinion most importantly she writes, he has no  
6 history of violence in the community prior to  
7 the commission of this offense. That's not  
8 true. I'm not suggesting that Mr. Cronk  
9 deceived her, but I don't think that she had a  
10 fair understanding of the complete record  
11 because in the probation report on page 10, 17,  
12 line 17 through 19, there's a discussion that he  
13 committed robberies with Mr. Meyer in Sacramento  
14 prior to this offense where he and Mr. Meyer  
15 would rob liquor stores and bars. In the  
16 probation report on page 18, lines five through  
17 23, there's a summary of three robberies, with a  
18 gun, may have been a replica gun, I don't know,  
19 but it is indicated there were three armed  
20 robberies, a restaurant market type stores in  
21 Wisconsin in the fall of 1980. Mr. Meyer wasn't  
22 with him on those. And also, in a prior report  
23 that she had authored in October of '01 on page  
24 five, she indicates that prior to the offense of  
25 Mr. Allen, he and Mr. Meyer robbed someone of  
26 600 to 700 dollars at gunpoint and were never  
27 questioned or arrested and that Mr. Cronk



1 learned that crime was an easy way out. So I  
2 greatly dispute that she says he has no violence  
3 in his background prior to this offense. I  
4 don't dispute that he's violence free since.  
5 Also, with respect to violence, he did have two  
6 chains in his cell which was alluded to, in the  
7 Sacramento County Jail which he explained, and  
8 he was smuggling drugs at that time, but he has  
9 not done so at San Quentin. I agree with that.  
10 The one other thing I'll take issue with, again,  
11 her summary on page four, is her opinion. It's  
12 more opinion than fact that he showed genuine  
13 remorse and full responsibility. I think only  
14 perhaps God and Mr. Cronk can truly speak to  
15 that but the letter that he wrote that I alluded  
16 to complaining to the reporter about ambush  
17 journalism and portraying the victim's side, I  
18 think shows that he has not fully come to terms  
19 with the fact that the victim's family still  
20 have power over his release, and he's somewhat  
21 upset or frustrated with the victim's family  
22 gets a voice into the situation about his fate.  
23 That's natural, but I don't think it ought to be  
24 denied, and I don't think it's fully consistent  
25 with true remorse. And the fact that he says,  
26 well, I just thought that this was going to be a  
27 promotional story for me about rehabilitation

1 which would assist him in his parole plans, and  
2 he speaks to that in the letter as well, whose  
3 family is going to see this article as well, and  
4 the family is going to be upset as well that  
5 here he is with the media blowing his horn for  
6 him, and they were never spoken to. So I would  
7 just ask that that be considered. I'm going to  
8 have just a couple of more remarks. I think  
9 some things in life change and some do not. Mr.  
10 Cronk has changed. We don't question. We don't  
11 deny. He has greatly matured. Time out?

12 **DEPUTY COMMISSIONER THOMPSON:** Yes.

13 Please. I need to change the tapes.

14 **DEPUTY DISTRICT ATTORNEY GOLD:** All  
15 right. Thank you.

16 [Thereupon, the tape was turned over.]

17 **DEPUTY COMMISSIONER THOMPSON:** They are  
18 fine now. You can continue.

19 **DEPUTY DISTRICT ATTORNEY GOLD:** Thank  
20 you. The People don't deny that Mr. Cronk has  
21 matured very well in prison. He's adjusted  
22 somewhat exceptionally, especially when compared  
23 to his peers and has taken advantage of the  
24 opportunities that San Quentin has afforded him  
25 in a very difficult and dangerous environment.  
26 We acknowledge that. But what hasn't changed is  
27 the enormity of the crime and the affect upon

1 the family. In some sense it has changed  
2 because for the family it continues to be a  
3 tremendous loss to them that has diminished over  
4 the years. I'm not going to go into all of the  
5 affects of it, but within the family subsequent  
6 to the killing of the father, who was the  
7 patriarch of their family, there has been  
8 divorce. There has been a suicide. There has  
9 been economic destruction for them, just  
10 tremendous suffering and pain particularly at  
11 times when there should be joy, the first of  
12 grandchildren, holidays, things like that, and  
13 not all of those can be placed at the hands of  
14 Mr. Cronk, but they are all wrapped up in the  
15 destruction that Mr. Cronk brought to this  
16 family, and they have weakened them and scarred  
17 them tremendously. And I think that the Panel  
18 and society should take into account the  
19 enormity of how a crime affects a family as well  
20 as how that family within a greater community  
21 suffers. You somewhat have to take the victims  
22 as you find them and accord some deference to  
23 that in your consideration, whether that's  
24 fishing (indiscernible) or the gravity of the  
25 circumstances of the crime or the potential for  
26 violence in the future or the risk to the  
27 community. It is there because this was a good

1 family that was totally torn apart by a man who  
2 could have been just continuing to embezzle from  
3 the employer who was employing him in a  
4 nonviolent way that chose to directly confront  
5 people which he has done in the past. And in  
6 conclusion, the irony somewhat at this stage in  
7 life is that Mr. Allen's life was taken when Mr.  
8 Allen was 50 years old, and as Mr. Cronk nears  
9 his 50<sup>th</sup> birthday, he is seeking to kind of have  
10 a new life where he blossoms and prospers. And  
11 that to the family and I think to society based  
12 upon the gravity and the circumstances of this  
13 particular crime is not just. Thank you.

14 **PRESIDING COMMISSIONER LEE:** Thank you  
15 for your comments. At this point in time, Mr.  
16 Fathy.

17 **ATTORNEY FATHY:** Thank you,  
18 Commissioners. The comment -- I'll start just  
19 by responding briefly to the comments made by  
20 Mr. Gold. There was virtually not one mention  
21 by him of any of the specific accomplishments  
22 that he did. There was general reference that  
23 we don't dispute Mr. Cronk has changed. It's  
24 not just change. The people who wrote these  
25 things use words like exceptional,  
26 extraordinary, amazing, and they do so from a  
27 very jaundiced point of view. They don't do it

1 for Mr. Cronk's point of view of trying to get  
2 out because he wants to start his life over at  
3 age 50. They do it as professionals in the  
4 penal system, who see all kinds of behavior. I  
5 am astounded at what he has been able to do, not  
6 posturing for a reporter or trying to perform  
7 for this hearing today. These come, his  
8 behavior is extends over, well, this  
9 transformation began in 1989. It's 16 years  
10 later. He's been in custody over 24 years,  
11 going on 25. It is extraordinary. And the  
12 prosecution pays virtually no attention to that  
13 other than the gratuitous, oh, he's changed.  
14 No, he's not just changed. He's done something  
15 that is absolutely remarkable, which leads me to  
16 my second comment. Why am I here? This won't  
17 be reflected in a transcript, but I'm in a  
18 business suit. The business suit cost about  
19 1,000 dollars from Nordstrom's on sale. I  
20 charge 300 dollars an hour to do any work as a  
21 private attorney. I'm here not for the money.  
22 I'm getting no money from Mr. Cronk, his  
23 girlfriend, or anyone else, nor would I accept  
24 the money. I'm here because I was a public  
25 defender approximately 30 years ago. I did a  
26 number of murder cases, capital cases, et  
27 cetera. I saw horrible behavior over and over

1 again. I've kept in touch with one person from  
2 my public defender past which ended about 27  
3 years ago. That gentleman sits to my right.  
4 That would be Mr. Donald Cronk. The reason I  
5 have and the reason I've come here and the  
6 reason I point out the extraordinary things said  
7 about him is Donald Cronk is for me a model.  
8 I'm not his, I'm not related to him by blood,  
9 marriage, or adoption. I just told you I have  
10 no economic connection to him. He said to me  
11 earlier this morning that he prayed for me, and  
12 I laughed because I'm not religious. Jesus  
13 Christ has not found his way into my heart. I'm  
14 not a Buddhist. I'm not a -- I'm a lapsed  
15 Armenian Orthodox who's very cynical, not an  
16 Atheist, but I look at this man and think, he  
17 personifies the word redemption. And I've just  
18 told you, I'm not religious. I mean that in a  
19 secular fashion. People can redeem themselves.  
20 I believe that. The comments by the prosecutor  
21 would suggest otherwise because of course the  
22 horrible crime he committed will never heal with  
23 the family. There ought not to be a parole  
24 system. They are not going to ever feel  
25 anything but disgust and anger and hurt from  
26 their husband, their father's, their friend's  
27 murder in his own home. But with that, there's

1 another concept that I believe in, and that is,  
2 no matter how horribly you have behaved, you can  
3 redeem yourself. It can't be cheesy. It can't  
4 be hypocritical. It can't be temporary. It  
5 must be heartfelt. It must be on a level  
6 appropriate with what you are trying to redeem.  
7 And I think he's done that. I correspond with  
8 Mr. Cronk once a year. We're not pen pals, and  
9 it's at Christmas. He sends me a note, and I  
10 write him. And for the last three years I've  
11 come here. I've never visited until I'd come to  
12 the prison for the hearing, I think it was three  
13 years ago, and it was because of what I've just  
14 said to you. If the parole system meant  
15 anything to anyone who really believed in it, my  
16 nonprofessional view is this person should be  
17 out of the prison system doing something further  
18 for redemption that he can't do here. And it's  
19 obviously easy to say, well, he wants to get out  
20 because he just wants out of this horrible  
21 institution. Well, of course, that's true. But  
22 this is an extraordinary person that believes  
23 what he's just told you. He's going to go out,  
24 and he's going to do more benefit on the outside  
25 than he can inside. There's two reports in  
26 front of you, one in August from the counselor,  
27 the other dated June from the psychologist, the

1 doctor. I don't know how you could write a  
2 report more laudatory of this person. You know,  
3 the psychiatric report ends by saying he should  
4 be in prison. And the comment from the  
5 prosecutor is she didn't, you know, somehow  
6 understand the gravity of the offense. Well,  
7 that's absurd. Has this guy in one iota of his  
8 comments suggested to you he doesn't understand  
9 the gravity of what he did to the Allen family,  
10 and of course, Mr. Allen first and foremost?  
11 What do you think he said to the psychiatrist or  
12 the psychologist, pardon me? No, I didn't have  
13 any involvement. It's all the cocaine's fault,  
14 and it's the crime partners. I didn't do  
15 anything. Of course, he didn't say that to her.  
16 She heard from him probably in much more detail  
17 than we're hearing this morning of what a  
18 horrible thing he did. It's the same person he  
19 saw three years earlier. Yes. Mr. Allen died  
20 at age 50, and Mr. Cronk will be 50 in December  
21 of 2005. The irony is obvious. That has  
22 nothing to do with whether or not Mr. Cronk is  
23 suitable for parole. It's ironic. It's not a  
24 legal factor. I believe that if Mr. Cronk could  
25 kill himself and bring this man to life he would  
26 do that. And that would probably create a  
27 problem because he's a Christian, but I think he



1 would do that. That is how much I believe that  
2 this fellow means what he says. I don't think  
3 you see a lot of people who represent someone 30  
4 years ago or 25 years ago, whatever it's been,  
5 show up at these hearings, not paid, not  
6 connected by some, you know, not a member of his  
7 church. That has to be unusual. It's certainly  
8 -- I've never heard of that, and I would urge  
9 you to consider setting a parole date for this  
10 gentleman and allow him to live out his faith  
11 outside the institution.

12 **PRESIDING COMMISSIONER LEE:** Thank you,  
13 sir. Mr. Cronk.

14 **INMATE CRONK:** I just want to, I just  
15 want to say that I'm just sorry we all have to  
16 be here today. I can't change what happened,  
17 and I wasn't born a murderer. But in the last  
18 few months of 1979 through 1980, I don't know  
19 what happened. I just went from average Joe to  
20 the most despicable person that I've ever known,  
21 and I can't explain that. And all those things  
22 that Mr. Gold talked about happened in that  
23 period, that downward spiral, and they're all  
24 horrible, and it's all terrible, and I don't  
25 even know what's the truth anymore, 30 years  
26 ago, 25 years ago, or however long ago. I've  
27 just done all I can do. I don't know what else

1 there is left to do. And whatever the outcome  
2 of this hearing today, I just thank you all for  
3 being here, and I'm so sorry. I'm sorry for the  
4 Allen family. I read her letter, and I know  
5 that. I have her last letter. And I read it  
6 every once in a while because it connects me to  
7 life, and it just makes me strive that much  
8 harder. I know the Allen family will probably  
9 never forgive me. That would be much too much  
10 to expect, and I fully appreciate her desire for  
11 me to stay in here forever, and like as Mr.  
12 Fathy said, if I thought that that would somehow  
13 serve justice and bring Mr. Allen back and heal  
14 the Allen family and all the horrible, terrible  
15 things that I've don't, then I would sign up for  
16 that. But it isn't true, and it isn't ever  
17 going to be true, and I believe that I can  
18 contribute to men and individuals that are on  
19 that downward spiral that I found myself on.  
20 And it is my hope to one day work with folks  
21 like that. See, when we're in that position, we  
22 don't listen to the professionals. We don't  
23 listen to the psychiatrists. We don't listen to  
24 the lawyers and the cops, the parents. We don't  
25 listen. But we do listen to people that have  
26 been there, that have been through it, that have  
27 risen above it and made their way out, and

1 there's something that they can't deny when I'm  
2 standing there loving them and trying to get  
3 them to change their behavior and start to make  
4 the right choices. You see, I'm not getting  
5 rich off of this. I'm not getting headlines and  
6 banners. I'm there because that's what I  
7 believe because nobody needs to suffer like Mr.  
8 Allen and the Allen family. We haven't  
9 mentioned my family. My family likewise  
10 suffered. My mother was in sheer agony over  
11 this, and I've got to tell you, I was so  
12 relieved my father was dead by the time this  
13 happened because I wouldn't have been able to  
14 face him. And there's nobody that's more  
15 appalled at what I did than I am. But there's  
16 nobody that's punished me anymore than I have.  
17 The prison system hasn't done it. Anybody can  
18 do time. You can do that in here, but try to do  
19 it as an upstanding citizen. Try to do it with  
20 the faith that nobody else believes in. Try to  
21 do it without the drugs and the medication or  
22 the alcohol. I've lost family members in here.  
23 I've had to go through stress and pressures. I  
24 didn't resort to drugs. I didn't resort to  
25 violence. I didn't resort to anything. I  
26 prayed about it. I went to church. I got with  
27 the people that are likewise faith based, and it

1 gets me through it. Society has nothing to fear  
2 from me today or ever. And again, I apologize  
3 to everyone for my actions 25, 26 years ago.  
4 And I can't change it, and I never will be able  
5 to, but I can assure you that I am a changed  
6 person. I did change what I could, and I will  
7 continue to strive to do my best whether I'm  
8 released this year or not for ten years. If  
9 we're sitting here in ten years, and you will  
10 get the same chronos, and you will get the same  
11 reports, and you'll hear the same thing from me  
12 because that can't change now either. And so, I  
13 thank you.

14           **PRESIDING COMMISSIONER LEE:** Thank you.  
15 At this time, we're going to recess. We'll call  
16 everyone back once we've made a decision. Thank  
17 you.

18           **R E C E S S**

19           **--oOo--**

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1 CALIFORNIA BOARD OF PAROLE HEARINGS

2 D E C I S I O N

3 DEPUTY COMMISSIONER THOMPSON: There you  
4 are. You're on the record.

5 PRESIDING COMMISSIONER LEE: Counsel, can  
6 you hear us?

7 DEPUTY DISTRICT ATTORNEY GOLD: Yes.

8 PRESIDING COMMISSIONER LEE: All right.

9 We have all returned back to the hearing room.

10 The Panel has reviewed all information received  
11 from the public and relied on the following  
12 circumstances in concluding that the prisoner is  
13 not suitable for parole and would pose an  
14 unreasonable risk of danger to society or a  
15 threat to public safety if released from prison.

16 I'm not one to spend a lot of time on  
17 deliberations. That's just the way I am, but  
18 this case, I'd have to admit, was very difficult  
19 for me. First and foremost is Mr. Fathy's

20 statement. I've represented a lot of  
21 individuals in life cases and others, and I'm  
22 not sure I actually have even come to a hearing  
23 for an inmate. So that impressed me. And this  
24 job is one of the strange jobs in life where you  
25 have to deal with people's nightmares, and this  
26 is always someone's nightmare. And I had to

27 DONALD CRONK C-87286 DECISION PAGE 1 9/14/05

1 listen to the daughter trying to put this aside  
2 to move on, and I was unable unfortunately to  
3 hear from the wife who has not been able walk  
4 away, but the Deputy Commissioner and I have  
5 discussed it. But my job is to balance two  
6 things, and that is punishment and  
7 rehabilitation, and both advocates are very good  
8 at what they do. The prosecutor's job is to not  
9 only do justice but also to represent the will  
10 of the People, and I think he has done that  
11 well. And counsel for the inmate has brought up  
12 that the inmate has changed and is  
13 rehabilitated. How do you balance off the  
14 punishment and the rehabilitation? I can tell  
15 you honestly that I have no crystal ball, and I  
16 have no Solomon-like wisdom. All I can tell you  
17 at this point in time is that this offense was  
18 such that I just do not believe that the inmate  
19 has done a sufficient amount of time. And he's  
20 being denied because the offense was carried out  
21 in a dispassionate and calculated manner. The  
22 motive for the crime was inexplicable or very  
23 trivial in relationship to the offense. All the  
24 trial attorneys here and the Deputy Commissioner  
25 is an attorney as well, went to law school as  
26 well, knows that the felony murder rule was

27 DONALD CRONK C-87286 DECISION PAGE 2 9/14/05

1 enacted because of the inherent dangerousness of  
2 robberies, and that individuals cannot escape  
3 liability by saying, I did not mean to kill the  
4 person in the perpetration of a 211. And that's  
5 exactly what happened in this case. But even  
6 though one can disagree with the premise of  
7 having a first-degree murder on an unintentional  
8 homicide, this is not your general, I'm on the  
9 street. I'm strung out, high, and pulls a gun  
10 on somebody, and the gun goes off. I'm always  
11 wondering why people use all the guns, but  
12 anyway, the point is that no this was way beyond  
13 that. This was calculated. They had masks.  
14 They had guns. They had one guy down the street  
15 waiting for the person to come. They knew what  
16 he was wearing. They knew he had a diamond  
17 ring. They brought oil. They didn't just go to  
18 the house and take things. They waited for him  
19 to come back. The Deputy Commissioner and I  
20 just decided that this was just too heinous, I  
21 mean, too serious of an offense, and I don't  
22 necessarily believe that the inmate will always  
23 be incarcerated, but I just don't think at this  
24 stage 25 years is sufficient. The other reason  
25 for the denial is his escalating pattern of  
26 criminal conduct or violence. The inmate

27 DONALD CRONK C-87286 DECISION PAGE 3 9/14/05

1 readily admits that the man who he was at that  
2 time was clearly out of control. He failed to  
3 profit from, well, strike that. The inmate was  
4 involved in robberies prior to this incident.  
5 One of the things that very much bothered both  
6 Commissioner and myself was the psychological  
7 report dated June the 30<sup>th</sup>, 2005, by Dr. Inaba.  
8 And it is in the best light, inconclusive. The  
9 District Attorney pointed out various factual  
10 assertions that make her opinion virtually  
11 worthless. We know that hypothetical question  
12 posed to an expert opinion, the facts have to be  
13 established, and the facts that she's going by  
14 doesn't seem to be the same case. She's talking  
15 about no violence before this incident, yet, we  
16 know he was involved in robberies prior to this  
17 occurring. She does not seem to -- it says,  
18 though she has a vested interest, not maybe  
19 consciously but maybe subconsciously that she  
20 just didn't inspire me as an individual who did  
21 a thorough evaluation of the psychiatric factors  
22 of the inmate. The other reason for the denial  
23 is 3042 responses. The District Attorney's  
24 Office of Sacramento County is in opposition as  
25 well as -- didn't I have a letter from -- I  
26 thought I had another letter as well, maybe not.  
27 DONALD CRONK C-87286 DECISION PAGE 4 9/14/05



1 Anyway, nonetheless, the Panel makes the  
2 following findings: The prisoner needs therapy,  
3 self-help, and programming in order to further  
4 face, discuss, understand, and cope with stress  
5 in a nondestructive manner, as well, to get  
6 further insight into the crime. Until progress  
7 is made, the prisoner continues to be  
8 unpredictable and a threat to others. However,  
9 the prisoner should be commended for the  
10 following:

11 **DEPUTY COMMISSIONER THOMPSON:** He should  
12 be commended for having helped himself  
13 academically, that he's still going for a  
14 Bachelors degree, has an Associate. He did get  
15 the Ministry Certification. He has been a  
16 longtime participant and member in the AA  
17 program and received laudatory chronos for his  
18 participation and his attendance, that he has  
19 been in other programs, Overcomers Outreach,  
20 Trust, Impact, and Domestic Violence groups, all  
21 of which he has been commended for his  
22 participation, and in instances, facilitation of  
23 such groups, and that perhaps most commendable  
24 of all for which he did receive a laudatory  
25 chrono is the fact that in his entire  
26 incarceration, he only has one counseling

27 DONALD CRONK C-87286 DECISION PAGE 5 9/14/05

1 chrono, and it was by Officer Grant, by the way,  
2 in case you didn't get the name. It's drifted  
3 back to you. And he was given a laudatory  
4 chrono for the fact of that behavior, so all of  
5 those factors certainly indicate a change and  
6 movement toward acceptance and understanding,  
7 and hopefully, non-repetition of anything of  
8 that nature. I think all of those things are  
9 commendable and should be recognized.

10 **PRESIDING COMMISSIONER LEE:** These  
11 factors of positive aspects, however, do not  
12 outweigh the factors of unsuitability.  
13 Obviously, the inmate is a good candidate. I  
14 look forward to the opportunity, if available,  
15 to hear his case again. I cannot make any  
16 promises, nor will I, but I look forward to that  
17 time, if I do get to hear his case again. And I  
18 hope that by what you indicated earlier, that  
19 you continue on all the things that you are  
20 doing and that you're not going to change will  
21 be the case. Nonetheless, at this point in  
22 time, the denial will be for one year. You have  
23 exactly one year. The Panel recommends  
24 remaining disciplinary-free, continue to upgrade  
25 vocationally, educationally. Obviously, you're  
26 still trying to get your Bachelors degree from  
27 **DONALD CRONK C-87286 DECISION PAGE 6 9/14/05**

1 Ohio University, and continue to participate in  
2 self-help and therapy programming. Counsel,  
3 it's your choice; the Board packets will not  
4 automatically request a new psychological  
5 reports. I think that the inmate will have the  
6 same problem that he faced today if he comes  
7 back a year from now because the psychological  
8 report has errors which the District Attorney  
9 will point out again. Do you wish at this time  
10 to have me request a new report by another  
11 psychologist?

12 **ATTORNEY FATHY:** Yes.

13 **PRESIDING COMMISSIONER LEE:** All right.  
14 This is the second time -- a new psychological  
15 report is going to be requested by another  
16 psychologist. Deputy Commissioner, is there  
17 anything else?

18 **DEPUTY COMMISSIONER THOMPSON:** No, except  
19 that I wish him success and continued good  
20 programming.

21 **PRESIDING COMMISSIONER LEE:** Good luck,  
22 sir.

23 **INMATE CRONK:** Thank you.

24 **PRESIDING COMMISSIONER LEE:** Counsel of  
25 Sacramento County, please, make sure that all  
26 information before the next hearing is submitted  
27 **DONALD CRONK C-87286 DECISION PAGE 7 9/14/05**

1 to the Panel. I'd like to make sure that that  
2 doesn't fall through the cracks again.

3 DEPUTY DISTRICT ATTORNEY GOLD: Thank  
4 you.

5 PRESIDING COMMISSIONER LEE: Thank you.

6 DEPUTY DISTRICT ATTORNEY GOLD: I'm going  
7 to turn the mute on.

8 PRESIDING COMMISSIONER LEE: Very good.

9 DEPUTY DISTRICT ATTORNEY GOLD: Okay.

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23 PAROLE DENIED ONE YEAR

24 THIS DECISION WILL BE FINAL ON: \_\_\_\_\_

25 YOU WILL BE PROMPTLY NOTIFIED IF, PRIOR TO THAT  
26 DATE, THE DECISION IS MODIFIED.

27 DONALD CRONK C-87286 DECISION PAGE 8 9/14/05

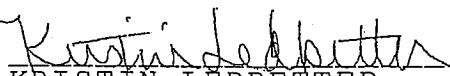
JAN 12 2006

CERTIFICATE AND  
DECLARATION OF TRANSCRIBER

I, KRISTIN LEDBETTER, a duly designated transcriber, PETERS SHORTHAND REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total one in number and cover a total of pages numbered 1 - 89, and which recording was duly recorded at CALIFORNIA STATE PRISON, SAN QUENTIN, SAN QUENTIN, CALIFORNIA, in the matter of the SUBSEQUENT PAROLE CONSIDERATION HEARING OF DONALD CRONK, CDC NO. C-87286, ON SEPTEMBER 14, 2005, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned tape to the best of my ability.

I hereby certify that I am a disinterested party in the above-mentioned matter and have no interest in the outcome of the hearing.

Dated OCTOBER 3, 2005, at Sacramento, California.



KRISTIN LEDBETTER  
TRANSCRIBER  
PETERS SHORTHAND REPORTING



LIFE PRISONER EVALUATION  
SUBSEQUENT PAROLE CONSIDERATION HEARING  
AUGUST 2005 CALENDAR

Cronk, Donald Everett

C-87286

I. COMMITMENT FACTORS

A. LIFE CRIME:

Murder 1st, PC187, Assault with a Deadly Weapon (.38-caliber) PC12022.5. Sacramento County Superior Court Case Number SAC666128. The victim's name was James Allen, age 50. Sentenced to 25 years to life with a two- year enhancement for a total term of 27 years to life. Cronk's minimum eligible parole date (MEPD) is 3/2/98.

1. Summary of Crime:

On the morning of 12-19-80 Donald Cronk and codefendant Glen Meyer went to the victim's residence and broke into the residence by entering through the bathroom window. After ransacking the victim's home in search of personal effects and/or money, the two men layed in wait, armed with an unknown caliber handgun for the victim to return. When the victim returned home he noticed the dwelling had been entered and drew his own weapon before entering the front door. The victim surprised Cronk and fired several times, striking Cronk once in the arm and once in the side of the torso. Cronk retrieved his handgun from his pocket and shot once, killing the victim. After the murder both Cronk and his codefendant, Glen Meyer, fled. Glen Meyer stopped long enough to pick up the victim's gun, briefcase and a diamond ring the victim wore. During the interview for this report, Cronk recalled the caliber of the weapon as a .38 caliber Colt Detective Special. Both Cronk and the codefendant fled in opposite directions. Cronk was arrested several months later while working for a carnival in Idaho. He offered no resistance while being taken into custody.

2. Prisoner's Version:

Cronk stated the whole incident was because of his involvement with cocaine. He stated, "Cocaine destroyed me". He had a good job with a waterbed warehouse in Sacramento and began using cocaine. He eventually started embezzling from his former employer in an effort to increase his supply of cocaine. He was in debt approximately ten thousand dollars when he lost his job. Thereafter, he became involved with property and theft related offenses with Mr. Terry Warren and Mr. Meyer. It was through Meyer that he learned of the potential for financial gain as a result of robbing the victim. Cronk claims that he, Warren, and Meyer formed a conspiracy to rob the victim. In their original plan, they agreed to break into his residence and wait for him to return with money from his business. The trio had knowledge that the victim carried large amounts of cash, gold coins, and other valuable property in his suitcase, and a rather large diamond ring on his finger. They went to the residence armed with a Billy-club like bat, the aforementioned .38 caliber weapon and baby oil to slip the ring off the deceased victim's finger. They agreed Warren would remain down the street and telephone the victim's phone to alert Cronk and Meyer of the victim's approach. For reasons unbeknownst to Cronk, the victim was able to arrive home without their notification. The victim was also able to enter the residence and surprise Cronk and Meyer while in the process of ransacking his home. The victim fired approximately six rounds at Cronk, two of which hit him. Cronk fell to the ground and drew his own weapon firing it from the hip. The single shot fired by Cronk struck the victim in the chest causing his death in approximately four to five minutes. Cronk fled and expected to be shot as he ran down the sidewalk. Cronk was bleeding profusely and lay down in some high grass across the street from the apartment complex. A short while later, Meyer came by in his truck, picked up Cronk and took him to Warren's house. Cronk states the events after the instant offense are blurred as he was in a tremendous amount of pain. Cronk acknowledges his part in the crime and accepts full responsibility. Cronk expressed deep regret for his actions and stated that he is deeply sorry for the victim's family and the grief that he has caused them. He does want the record to reflect he had originally planned this crime as a burglary only. He indicated he never dreamed it would end up in a murder.



3. Aggravating/Mitigating Circumstances:

A. Aggravating Circumstances:

- The prisoner actively planned (or was a willing participant) in the planning of the crime.
- The murder was committed by lying in wait.
- The prisoner had the opportunity to cease but continued with the crime.
- The prisoner used a weapon (.38 caliber pistol).
- The circumstances of the crime created potential for serious injury to others.

B. Mitigating Circumstances:

- The subject has minimal or no history of criminal behavior.

B. MULTIPLE CRIME(S):

This is Cronk's only commitment offense.

II. PRE-CONVICTION FACTORS:

A. Juvenile Record:

Cronk had no juvenile convictions.

B. Adult Convictions/Arrests:

9/11/75- Arrested by Waukesha, Wisconsin Police for Theft from an Auto. Cronk was convicted on 12/9/75 and ordered to pay a \$209 fine to the court.

7/16/81- Arrested by Sacramento Sheriff's Office for Homicide. Cronk was convicted of Murder in the 1<sup>st</sup> degree on 6/13/84 and sentenced to State Prison for a period of 27 years to Life (Instant Offense).

5/20/82- Charged by Sacramento Sheriff's Office for possession of narcotics in a jail facility and possession of a dangerous weapon. The charges were dismissed by Sacramento Superior Court.

C. Personal Factors:

Cronk was born on 12/20/55 to the parents of Donald and Marilyn Cronk. His father and mother are both deceased. Cronk was married to Mary Kreil in 1973. From this marriage one child, Kristen Cronk was conceived. This marriage ended in divorce in 1980. Cronk was remarried to Linda Hartman in 1987. From this marriage one child Samantha Cronk was born. This marriage ended in divorce. The POR indicates that the highest grade Cronk completed was the 11<sup>th</sup> grade. Records indicate that Cronk received his GED certificate through the American Correspondence Academy in Wisconsin. Cronk never served in the military. The POR indicates that Cronk was employed with Labries Waterbeds in Sacramento, California as a service manager from 1977 until 1980. Prior to this he was employed with Jason & Sons in Sacramento as a warehouse manager for 7 months in 1976. Case records indicate that Cronk started using cocaine in 1979 in high doses and abused alcohol. At the time of the instant offense he was using cocaine by smoking cocaine free-base at a very high dose level of 5 or 6 grams per day and drinking two to four six packs of beer per day.

III. POST-CONVICTION FACTORS:

A. Special Accommodations/Disability:

No special accommodations or adaptive services were required for the purpose of effective communication as required per Armstrong Remedial Plan II.

B. Custody History:

Cronk was received by the California Department of Corrections (CDC) on 06/13/84, at Northern Reception Center-California Medical Facility (NRC-CMF). While at NRC-CMF he was placed in restricted housing due to possible enemy concerns with the EME, BGF, and NF Prison gangs. Cronk appeared before the Institutional Classification Committee (ICC) on 6/21/84 due to his housing in T-Restricted. Cronk was retained in T-Restricted housing per his own request due to documented friction with prison gang elements while in Sacramento County Jail due to his involvement in drug smuggling activities. The case was referred to the Districted Attorney's office for prosecution. (This case was eventually dismissed by Sacramento Superior Court on 7/26/83). Cronk was retained in T-Restricted housing pending transfer to a general population program facility. Cronk was endorsed for transfer to San Quentin (SQ) on 7/31/84. Cronk was initially placed in Administrative Segregation (Ad/Seg) due to his prior placement at NRC-Ad/Seg. Cronk was released from Ad/Seg

and granted Close B custody. He was initially placed on the vocational waiting list and was subsequently assigned to the laundry department. Cronk was placed on Ad/Seg status on 10/31/85 pending investigation into a conspiracy to aid Inmate Thomas and Inmate Reach in an escape attempt. After a thorough investigation of case factors, it was determined that Cronk was not involved in the escape attempt. Cronk was subsequently removed from Ad/Seg status and placed in his former program. Cronk was removed from his assignment to the laundry department and was reassigned to the Vocational Electronic Program in 1986. Cronk's custody remained at Close B until 02/09/88, when it was lowered to Medium A. Cronk's classification score has been 0 since 05/27/93. Cronk has completed the Vocational Electronic Program at San Quentin in 1990. After completing the Vocational Electronics class, Cronk worked in the Inmate Day Labor (IDL) as an apprentice electrician. Since that time Cronk has held primarily clerical positions. Work supervisor's reports have consistently rated Cronk above average to exceptional. Numerous laudatory chronos are noted in his central file. Cronk custody remains at Medium A with a classification score of 19. It should be noted that the increase in points is non-adverse in nature, and is a result of a change in the California Department of Corrections scoring system. He was assigned to the Reception Center as the West Block Lieutenant's Clerk. Cronk went before UCC on 7/8/04 for his annual and has 19 points with Medium A custody. He's currently the protestant chaplain's clerk.

**C. Therapy & Self-Help Activities:**

Cronk has been involved in the following therapy and self-help activities per the laudatory chronos, which appear in his central file since his last Board Hearing:

- Overcomers Outreach: 12/30/04, 3/31/05, 6/30/04, 3/30/04, and 9/30/04 for the completion of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarter for the past year and a half.
- Health and Ethics Workshop Programs: 3/24/05, 2/24/05, 3/10/05, 2/10/05, and 2/17/05.
- I.M.P.A.C.T. facilitator 3/1/04, 4/19/04, 6/28/04, 7/26/04, 10/18/04, 1/3/05, 2/14/05, and 3/21/05.
- I.M.P.A.C.T participant: Cronk received 5 chrono's date 7/26/04 for the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarter.
- San Quentin College Program (Ohio University) 6/20/05 for participating in the Bachelors of Arts program for a year. 6/20/05 received a certificate from Ohio University to completing the course of Non-Violent communications. Graduated from Patton University with a Certificate of Ministry dated 6/16/05. Also received a chrono for completing courses on 5/18/05, 1/26/04, 10/6/04, and 6/24/04.

CRONK, DONALD

CDC#C-87286

SAN QUENTIN

AUGUST 2005

- Arts and Corrections soundboard set up for outside entertainment, 5/19/04, 6/18/04, 7/6/04, and 10/18/04.
- T.A.P.S.- National military survivor peer support network : 11/5/04.
- Man-Alive Program facilitator training, 2002-present. He's also received a certificate of appreciation by the Vietnam Veterans Group of San Quentin dated 12/4/04.

Cronk has received laudatory chronos for being able to follow the rules and regulations of the Department of Corrections dated: 2/2/05 and 4/18/05. He's also received a letter of recognition for his participation in the I.M.P.A.C.T. program dated 6/20/05. Cronk has also received a certificate for participating in a 29 month program for Marin Abused Womens Services Mankin Mens Program.

**D. Disciplinary History:**

CDC 128A Custodial counseling 06/29/88 refusing to follow orders.

**E. Other:**

None

**IV. FUTURE PLANS:**

**A. RESIDENCE:**

Cronk is hopeful of transferring his parole to Marin County. He has been offered housing by Ms. Kathleen Giono, his fiancée, 1628 San Anselmo Ave., San Anselmo, Ca. 94960 (415) 458-3565. In the event that the parole transfer request is denied Cronk has been offered housing by Mr. Chris Shirley 4833 9<sup>th</sup> Ave. Sacramento, Ca 95820-1520 (916) 457-7131. Letters confirming these housing offers are contained in Cronk's central file #2. Furthermore Cronk's two older sisters, Kevee Lynn Kienast and Pamela Vetta, have both offered housing employment and financial assistance in the event of his parole.

**B. EMPLOYMENT:**

Cronk has received letters of employment from prospective employers in Marin, and Sacramento areas. Marin County employment offers are Redwood Empire Electrical Training Trust (Union Sponsor), 1700 Corby Ave., Suite F, Santa Rosa, Ca. 95407 (707) 523-3837 and Illuminata Films 26A Varda Landing, Sausalito, Ca. 94965 (415) 331-2663. In the Sacramento area employment offers are McCarthy Painting, 5409 S

Street, Sacramento Ca. 95819 (916) 451-8888 and Metcalf Electric, 1531 47<sup>th</sup> St., Sacramento, Ca 95819 (916) 456-6862. The letters verifying all offers of employment are located in Cronk's central file #2.

V. USINS STATUS:

Not applicable, Cronk is an American citizen born in Wisconsin.

VI. SUMMARY:

- A. Cronk has maintained an excellent program throughout his twenty- (20) years of incarceration. He has managed to use his time here in a constructive fashion; constantly making improvements in his life and the lives of others. He has made numerous achievements and surpassed many of life milestones despite his confinement to State Prison. Cronk continues to excel in all areas. He has gained employable work skill as an Electronic Worker and is currently working towards his Bachelors Degree. He has remained disciplinary free and received commendation for his positive programming efforts. He maintains an excellent rapport with both staff and inmates. Cronk had talked openly and candidly about the crime and takes total responsibility for his involvement. It appears he has had sufficient time to reflect on the past and come to terms with his present condition. He fully understands how his involvement with drugs played an intricate part in his motivation to become involved in the commission of the crime. Cronk has taken positive steps in dealing with his past problem with drugs by becoming involved with Alcoholics and Narcotics Anonymous.] If Cronk is considered for parole it would be recommended he continue to participate in Narcotics and Alcoholics anonymous.
- B. Prior to release from prison, Cronk is encouraged to maintain his exemplary programming efforts, and remain disciplinary free.
- C. This report is based on a thorough review of Cronk's central files and a personal interview with the Inmate on 6/21/2005
- D. Cronk was given the opportunity to examine his central file on 6/21/05. Refer to CDC 128B dated 6/21/05.
- E. Cronk denies any disabilities or needs per the Armstrong vs. Davis BPT Parole Proceedings Remedial Plan for effective communications.

GARCIA 6-23-05  
M. GARCIA, CCI

V. KELLEY  
V. KELLEY, CCI

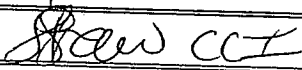
D. Belshaw  
CCIII and C & PR  
C. BELSHAW



- ☐ DOCUMENTATION HEARING  
☒ PAROLE CONSIDERATION HEARING  
☐ PROGRESS HEARING

**INSTRUCTIONS**

TO CDC STAFF: DOCUMENT EACH 12-MONTH PERIOD FROM THE DATE THE LIFE TERM STARTS TO PRESENT.  
 TO BPT STAFF: FOR EACH 12-MONTH INCREMENT APPLY THE GUIDELINES UNDER WHICH THE PAROLE DATE WAS ORIGINALLY ESTABLISHED, i.e., 0-2 MONTHS FOR PBR AND 0-4 MONTHS FOR BPT. SEE BPT §§2290 - 2292, 2410 AND 2439.

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
1-16-04 TO 1-16-05			<p><b>Placement:</b> San Quentin, level II, general population.</p> <p><b>Custody/Classification:</b> Medium A, Classification score is 19. On 3-25-04 subject appeared for UCC for Post Board. No program changes noted.</p> <p><b>Academics:</b> Pastoral Care and Counseling 6-24-04, Church Leadership and Administration 10-6-04</p> <p><b>Work Record:</b> Assigned as the West Block Lt. Clerk, no work reports noted.</p> <p><b>Group Activities:</b> AIC 5-19-04, AIC 6-18-04, AIC 7-6-04, Man Alive 10-15-04, AIC 10-18-04, and VVGSQ 11-5-04.</p> <p><b>Psychiatric Treatment:</b> None noted.</p> <p><b>Prisoner Behavior:</b> Disciplinary free at this time.</p> <p><b>Other:</b> On 3-16-04 subject appeared before the BPT for his parole hearing, parole was denied for one year.</p>
CORRECTIONAL COUNSELOR SIGNATURE			DATE
			7/6/05

CRONK, DONALD

C-87286

CSP-SQ

AUGUST 2005

Shaw cct

7/6/05

C-87286

CSP-SQ

AUGUST 2005



☐ BPT date advanced by \_\_\_\_\_ months.

☐ BPT date affirmed without change.

☐ PBR date advanced by \_\_\_\_\_ months.

☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

☐ Previously imposed conditions affirmed.

☐ Add or modify \_\_\_\_\_

☐ Schedule for Progress hearing on appropriate institutional calendar.

CRONK, DONALD

C-87286

CSP-SQ

AUGUST 2005

4

CRONK, DONALD

87286

June 30, 2005

**MENTAL HEALTH EVALUATION  
FOR THE BOARD OF PRISON TERMS  
JUNE 2005 LIFER HEARING  
SAN QUENTIN STATE PRISON**

**PSYCHOSOCIAL ASSESSMENT**

I. Identifying Information: Mr. Cronk is a 49 year old first term, who is serving a 27 year to life sentence for 1<sup>st</sup> degree murder in 1980. He is serving the 21<sup>st</sup> year of his term as an inmate at San Quentin Prison. The report is based on a review of Mr. Cronk's central files, medical record and a face to face interview conducted in the mental health offices of San Quentin State Prison. Mr. Cronk was informed of the limits of confidentiality in that information provided would be included in a report to the Board of Prison Terms. Only the inmate and the examiner were present during the interview. Mr. Cronk stated that he understood the purpose of the interview and was able to communicate effectively without requiring any special assistance or adaptive measures.

II. Developmental History:

No change of information. Refer to previous evaluations.

III. Educational History:

Since the time of the last evaluation, Mr. Cronk has taken coursework in theology at Patton University where he completed his AA degree. He is presently enrolled in a correspondence program at Ohio University for completion of a Bachelor's degree.

IV. Family History:

No change of information. Refer to previous evaluations.

V. Psychosocial Development and Sexual Orientation:

No change of information. Refer to previous evaluations.

VI. Marital History:

Mr. Cronk continues to be single following his divorce from his second wife. He is involved in a supportive relationship with a woman who lives in a community adjacent to the prison. She visits on a regular basis and has offered to assist Mr. Cronk with housing and other forms of support. The woman is divorced and has no children. She is employed and owns a home in Marin County, California.

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VII. Military History:

No additional information. Refer to previous evaluations.

VIII. Employment and Income History:

No additional information. Refer to previous evaluations.

IX. Substance Abuse History:

No additional information. Refer to previous evaluations.

X. Psychiatric and Medical History:

No additional information. Refer to previous evaluations.

XI. Plans if Granted Release:

If released to the community, Mr. Cronk plans to continue with many of the activities that he has been involved with while incarcerated. He plans to combine his work with the IMPACT Program with his work in Christian ministry. He also plans to continue to pursue his educational goals, with an immediate goal of completing work on his Bachelor's degree when he can afford to do so. Mr. Cronk has many supporters in the community whom he has come to know through his extensive volunteer efforts as an inmate. Mr. Cronk plans to be an active member of the Tiburon Baptist Church and will seek pastoral guidance for any life problems that he may encounter. He anticipates either living with a woman friend, with whom he has a romantic relationship, in her home in Marin County, or else living in a property owned by her. If paroled to Sacramento County, he would be able to maintain himself financially for a period of time, while seeking employment. Mr. Cronk is willing to comply with any and all conditions of parole.

CLINICAL ASSESSMENTXII. Current Mental Status/Treatment Needs:**A. Mental Status Examination**

Mr. Cronk appeared to be his stated age of 49. He was well-groomed and dressed in standard CDC issued inmate clothing. He has a neatly trimmed beard and wears glasses. He presented as cooperative and friendly. He was socially appropriate and comes across as eager, polite, and considerate. He appeared to be fully alert, and was oriented in all spheres. His thought was coherent, linear and logical with no evidence of thought disorder. Speech was clear, organized and articulate. Thought content was appropriate with no bizarre content, or paranoid or delusional ideation. His intellectual functioning appeared to be in the average to above average range. Affect was stable and mood was euthymic. There was no evidence of disabling anxiety or depressed mood. He denied any thoughts of self-harm or harm to others. He reported that appetite and sleep were normal. His judgement appeared to be adequate and he demonstrated capacity for insight.

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**B. Clinical Diagnosis and Level of Functioning:**

AXIS I: 304.20 Cocaine Dependence (in full remission)  
 AXIS II: V71.09 No Diagnosis or Condition  
 AXIS III: Hepatitis C, degenerative disk disease  
 AXIS IV: Stressors: Life Sentence; alienation from family members  
 AXIS V: Current Global Assessment of Functioning  
 GAF = 85

**C. Current Level of Care:** Not applicable, as Mr. Cronk has no current mental disorder.

**D. Treatment Activities:** Not applicable, as Mr. Cronk has no current mental disorder.

**E. Medications:** Not applicable, as Mr. Cronk has no current mental disorder.

**F. Prognosis:** Not applicable, as Mr. Cronk has no current mental disorder.

**XIV. Assessment of Dangerousness****A. Inmate's Version of the Offense**

Mr. Cronk was engaged in the robbery of the victim's home. The victim returned to the residence surprising Mr. Cronk and his partner in the crime. Mr. Cronk was shot by the victim and hit 3 times. He used the gun in his possession to fire back, killing the man. Mr. Cronk was a habitual user of cocaine at the time. He was in financial difficulty due to his drug use. Mr. Cronk's present accounting of the events on the day of the crime, and of his behavior at the time of the crime is entirely consistent with the version of the crime reported to this examiner during the previous evaluation. It is also consistent with past disclosures to other parties, and with information from law enforcement.

As stated previously, there is no evidence that Mr. Cronk was suffering from any mental disorder or symptoms at the time of the commission of his offense. He has no history of serious mental disorder or any psychiatric condition that might predispose him to violent behavior. He does *not* at the present time, have any mental disorder or condition that might place him at increased risk for violent or criminal behavior.

**B. Risk of violence in a controlled setting:**

As stated in the previous evaluation by this examiner, Mr. Cronk has been free not only of violent behavior, but of any disciplinary actions during his entire period of incarceration. He continues to use his time in prison to participate in an array of self-help, volunteer and educational activities including substance abuse treatment, higher education, peer education, religious education, and music production assistance. Based on his record of past behavior, Mr. Cronk could be expected to continue to live in a non-violent and productive manner in any controlled setting.

**C. Risk of violence if released into the community**

As stated in the previous evaluation of Mr. Cronk from October 12, 2001, Mr. Cronk does not have a mental condition that causes him to be mentally ill, require treatment, or that would cause him to be at increased risk of committing another violent offense. Additionally, he seems to have overcome an earlier pattern of substance abuse and antisocial behavior that lead to the commission of his crime. Other historical factors such as a lack of previous violence, psychopathy, or early criminal behavior remain as factors associated with a low

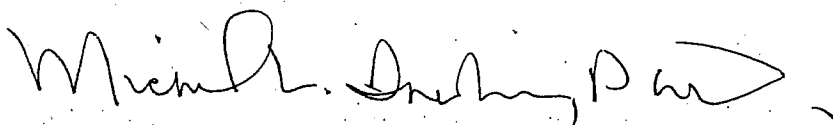
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risk of violent behavior. Also as significant positive factors, Mr. Cronk has a feasible plan for parole, a network of social support, marketable employment skills and a proven ability to manifest and utilize resources toward the completion of positive goals. He is willing to comply with the conditions of parole, accept help from others, and consistently seeks appropriate assistance from prosocial individuals for solving problems. He has shown remarkable resilience in the face of daily challenges.

In the last report, I stated that the biggest risk factor appeared to be resumption of substance abuse which could jeopardize Mr. Cronk's ability to meet his financial obligations. Since that time Mr. Cronk has continued to increase his network of support, to participate in substance abuse group treatment, and increase his financial resources. All of these factors would seem to further decrease the risk that Mr. Cronk would return to the use of substances or criminal behavior. Mr. Cronk is aware of the dynamics of substance abuse and relapse potential for anyone who has had a substance abuse problem.

Given the stability of Mr. Cronk's mental status, his exemplary performance while incarcerated and extensive efforts at rehabilitation, no changes in Mr. Cronk's mental health are anticipated. He has no history of mental illness and no contributory mental problems. His attitude is consistently positive and upbeat. Most importantly, he has no history of violence while incarcerated, and no history of violence in the community prior to the commission of his offense. He has shown genuine remorse for his crime and takes full responsibility for his actions. He is insightful regarding the factors that led to his criminal behavior. There would seem to be no additional benefit that could accrue to Mr. Cronk or to the state by his continued incarceration. Continued incarceration could, in fact, be detrimental to Mr. Cronk's ability to succeed as a parolee, as it may be creating a dependency on institutional resources, and requires continued adaptation to a unique and extreme environment. While it is not possible to predict future behavior with absolute certainty, based on clinical assessment and review of Mr. Cronk's records there is no indication that he represents an increased risk to the community for violent crime, were he to be paroled.]



Michel Lynn Inaba, Ph.D.  
CDC Contract Psychologist  
License # Psy15977



R E - E N T R Y   P L A N S   U P O N   P A R O L E

Donald Cronk

2005



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CDC Progress Report

## LIFE CRIME STATISTICS

Date of Crime:	December 19, 1980
Date of Arrest:	July 3, 1981
Sentence Date:	June 1984
Sentence:	25 to Life + 2 Year Enhancement for Weapon
Matrix Range:	28-29-30 Years

Initial BPT Hearing:	March 1997 - 4 Year Denial
Subsequent BPT Hearing #1:	December 2001 - 1 Year Denial
Subsequent BPT Hearing #2:	December 2003 - 1 Year Denial
Subsequent BPT Hearing #3:	March 2004 - 1 Year Denial
Subsequent BPT Hearing #4:	2005 - <del>SEPT. 14</del> - 1 YEAR DENIAL

SUMMATION OF PAROLE PLAN

Donald E. Cronk

Refer to supporting documentation attached.

1 Report to parole officer upon release to community.

- A) Confirm address and telephone numbers of residence
- B) Obtain and verify all conditions of parole
- C) Submit to alcohol/drug testing
- D) Request assistance/suggestions from parole officer

2 Residence - refer to attachments

A) Marin: Ms. Kathleen Giono (Fiancee)  
1628 San Anselmo Avenue  
San Anselmo, CA 94960  
Telephone (415) 458-3565

B) Wisconsin: Mr. David Cronk (Brother)  
3295 Vinland Road  
Oshkosh, WI 54901

Mrs. Kevee Kienast (Sister)  
220 Collins Street  
Waukesha, WI 53186

Mrs. Pamela Vetta (Sister)  
1741 Oakdale Drive  
Waukesha, WI 53189

3 12 Step Programs - refer to attachments

A) Sacramento: Chris Shirley - N.A. Sponsor  
Norman Metclaf - A.A. Sponsor

B) Marin: Barry Stricker - Tiburon Baptist Church  
Marin County N.A. @ (415) 499-0900

4 Friends/Family Support - refer to attachments

A) Sacramento: Chris Shirley, Finances, Employment Aide  
Richard Fathy, Attorney/Legal Guidance  
Norman Metcalf, Employment  
Chris McCarthy, Employment

Summary of Parole  
Cronk, Donald  
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- B) Marin: Kathleen Giono, Residence/Finances/Guidance  
Barry Stricker, Pastor/Church Support/12 Step Program  
Carol Jackson, Financial/Living assistance
- C) Wisconsin: David Cronk, Brother  
Kevee Kienast, Sister  
Pamela Vetta, Sister

5 Employment - refer to attachments

- A) Sacramento: Metcalf Electric, 1531 47th St., Sac, CA 95819  
McCarthy Painting, 5409 "S" St., Sac, CA 95819
- B) Marin: Redwood Empire Electrical - Union Sponsor (707) 523-3837  
Tiburon Baptist Church - agreed to assist with employment

6 Community Services - responses to my letters of inquiry

- A) Sacramento: - refer to attachments (Unchanged)

Employment Development Department (Employment Opportunities)  
Meadowview Community Action (Employment training)  
Community Connection Resource Center (Substance abuse counseling)  
Broadway Career Center (Employment Placement/training)  
Breining Institute College for Addictive Disorders

- B) Marin: - refer to attachments (Unchanged)

Dept. Health & Human Services (Social Services)  
Dept. Alcohol & Drug Services (12 Step Sponsorship)  
Dept. Marin Employment Connection (Employment/training)  
Marin Regional Occupational Program (Employment/training)  
Masters Institute (Personal desire for current technology training)

## GOALS and OBJECTIVES of PAROLE - 2005

I do not know if I can "earn" the right to parole but I believe I have acquired through hard work and a clean record the opportunity to be given a second chance. I have punished myself far more than society asked, the justice system imposed, or the harshness of prison could invoke. I have worked hard to confront and then correct the physical and psychological factors which contributed to my past decline and to ensure I will not allow myself to sink to that depth again. I am continually and painfully reminded of the life of Mr. James Allen which I took 24 years ago. Often I am amazed I so easily succumbed to peer pressure and cheap desperation. I blame only myself and now, only I can strive to meet the challenges set before me. I embrace these challenges with a clear mind, a changed heart and the desire to one day "give back" what I stole from society so long ago.

As I re-enter society I am aware of my responsibility to do well, for my victims, for society, for myself and for those who supported me all these years. I embrace whatever God grants me and in Him I am confident.

My primary residence will be in San Anselmo California. I plan to be married once I am released to Kathleen Maria Giono (see letter), a life long resident of San Anselmo and who owns her own home. If for some reason I am not allowed to parole to San Anselmo, Kathleen is prepared to provide whatever assistance is necessary where ever I must live until my parole can be transferred. Upon granting of parole, every detail can and will be offered in advance to all necessary authorities.

I am a skilled electrician, completing my indentured apprenticeship while in prison. I have a current employment offer in this field of work (see letter). I am also a talented audio engineer with many contacts in this field of employment. I have mixed (produced) the sound for almost all of the prison's musical concerts for the past 20 years. I was also a co-producer on the Gospel Choir CD that was recorded in San Quentin and went on to sell many thousands of copies. I intend to start my own sound production company several years after my release. I have no doubt of the viability of this company and the income generated will not only support my household, but will offer employment to at least three other qualified employees.

Goals and Objectives (cont)  
Page -2-

I am also a skilled clerical worker with over ten years experience and am well versed in Microsoft computer applications and most other office equipment. I am able to organize and work efficiently under pressure. My typing skills are above average.

As another option, I may enroll in a Technical College in order to become current and proficient in the field of computer related technology. I have contacted several and ITT Technical Institute appears to be the most appropriate given my situation. I have kept abreast of current technologies, and my main supporter in Sacramento is currently employed in this field for many years and has offered to assist me in my training and employment (see letter) should I choose this field as my career. In the meantime, I will continue to complete my B.A. Degree through Ohio University.

All in all, given my diversified skills, my academic accomplishments, my many community supporters, friends and contacts, combined with a sincere desire to seek out purposeful employment, my ability in securing full time well paying employment will not be a major obstacle even with the current financial crisis burdening California.

I have made the 12 Step Recovery process a part of my life. I am aware this is a life time commitment and I am eager to take my message of hope and recovery to others. For almost 10 years I have attend two meetings a week and co-facilitate the Overcomers 12 Step Program. I intend to seek this type of recovery program once free as it is Christian based. I have several 12 Step sponsors waiting my release who have offered to sponsor me (see letters).

I will continue to facilitate the Project IMPACT program (see attachments) on the outside as I currently do in prison. This is a program that was born in San Quentin and was designed by inmates who have changed their lives and want to help others do the same. I have written several sessions and find this type of work very rewarding. There is dire need for this type of mentoring on the outside where this program is now being offered.

In addition, I am being trained to facilitate the ManAlive domestic violence prevention program sponsored by the Marin Abused Women Services (see attached). I have been involved in this program for over 30 months and will supplement my income doing this teaching on the outside.

Goals and Objectives (cont)  
Page -3-

Most importantly, I have given over the control of my life to Jesus Christ. In spite of my surroundings I have learned to care about myself and deal appropriately with life's trial of surmounting difficulties with a clear mind and body. Through Christ I have learned to accept and recognize my weakness's and my strengths. I accept myself and other people as they are and can appreciate the importance of the 'now' of life. I have come to understand myself and what drives me. I see my faults and the excuses that have short circuited my life. I have gained self understanding and forgiveness.

Most of all I am not afraid to seek help when I feel overwhelmed. I have learned how to communicate my emotions and am not afraid to admit I need help. I know where to seek out whatever assistance I may need with the tools I learned in my Christian and other self-help programs. I can accept life disappointments and have endured many, sober and gracefully. I look forward to the day I am a free man. While I may always be ashamed of what I did so long ago, I am proud of the person I have become.

I will be an active member of Tiburon Baptist Church (see letter) and will spend many hours a week interacting with the pastor and participating in the many life changing studies offered, one of them being A.A. I have become a God fearing man and in all my thoughts and actions, it is not other men I must please, it is the Lord Himself. I am accountable to God and will continue to serve Him.

While I am aware of the many difficulties before me, I anticipate no problems while on parole. I do not have a problem with authority, male or female and get along well with all prison staff. I have nothing to hide nor anything to hide from. My life is obviously an open book and I like it that way. I want all to know, to see for themselves, who I was and who I have become. This is also an effective and powerful testimony of the power of Christ in a broken life. I thank God for His forgiveness, mercy and grace.

## ACHIEVEMENT and STATUS OVERVIEW

Cronk, Donald

1981 - 2005

EDUCATION

2002 - Present	Patton University Theology III	Graduated
2002 - Present	Ohio Univeristy Bachelor Degree	Enrolled
2002	Patton College Theology II	Completed
2002	Patton College Theology I	Completed
2000	A.A. Degree Patton College	Graduated W/Honors
1996 - 1998	Biblical Counseling Foundation	Certificate
1993	High School Equivalency	(GED)

VOCATIONAL - Completed I.B.E.W. Electrician's Apprenticeship

1988 - 1990	IDL Renovation Project	(1900 Hours)
1986 - 1989	Indentured Apprenticeship	(2000 Hours)

HELPING SELF & OTHERS

2005 - Present	Non-Violent Communication (16 week program)
2005 - Present	T.R.U.S.T. - Active Participant
2002 - Present	Project IMPACT (Facilitator - Protestant Chapel)
2002 - Present	Man Alive Facilitator Training (Domestic Violence)
2001	Discipleship Bible Study - 1 year course
2001 - Present	Centerforce Peer Health Educator
1999 - Present	Overcomers 12 Step Program (Christian)
1998 - 2002	Alcoholics Anonymous
1995 - 1997	Biblical Life Principles
1995 - Present	Biblical Evangelism
1994	Self Esteem Therapy w/Dr. Dupree, Ph.D.
1994 - 1998	Narcotics Anonymous
1991 - 1992	Recording Engineer/Producer - Gospel CD Produced
1990 - 1991	Toastmasters International
1991	S.Q. Museum Association
1991	Alternatives to Violence
1991	Self Help Video Produced (Dr. Bruce, Ph.D.)
1989 - Present	Audio Engineer/All San Quentin Events
1989 - Present	Kairos Prison Ministries
1989 - 1993	Outstanding Victim Advocate
1988 - 1990	S.Q. Husbands & Wives Group (Founding Member)
1988 - Present	Church Member

AWARDS & RECOGNITION

1993	Muscular Dystrophy Association
1992 - 1993	San Quentin Gospel Choir Recording
1992	Radio Show (Stop the Violence) w/Madonna & Huey Lewis
1991	National Education Drug Abuse Video
1990	McDonalds Gospel Fest (2nd Place)
1990	Angel Award (Set Free TV Documentary) w/Tom Landry
	won American Correctional Association Highest Honor

DISCIPLINARY

1984 - Present	Single CDC-128B Disrespect
1981 - 1984	Single Infraction County Jail - Dismissed

ACHIEVEMENT and STATUS OVERVIEW

Cronk, Donald

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PSYCHOLOGICAL EVALUATIONS

2005	Report ordered by BPT Legal Dept. LTR Rc'd 10/04
2001	Positive report by Dr. Michel Inaba, Ph.D.
1997	Positive report by Dr. Stephanie Lee, Ph.D.
1993	Positive report by Dr. Randall Bruce, Ph.D.
1990	Positive report by Dr. William Sullivan, Ph.D.
1987	Positive report by Dr. Michael Roudebush, Ph.D.

CORRECTIONAL COUNSELOR PROGRESS REPORTS

2005	
2004	Positive report by CCI Garcia
2002	Positive report by CCI Keese
2001	Positive report by CCI Ballachey
1997	Positive report by CCI Edwards



**R E S U M E**

2 0 0 5

**DONALD EVERETT CRONK**

\* P.O. BOX C-87286 SAN QUENTIN, CALIFORNIA 94974 \*

**OBJECTIVE**

I will accept an entry-level or higher position. Will work for minimum pay for 30 days while I prove my abilities and worth to your company.

**OVERVIEW**

I am an energetic, personable and well organized individual. I offer a strong work ethic and a broad range of experience at varying levels of skill in diversified fields; additional qualifications include:

I possess communications skills with the ability to establish rapport with company clients and management. I have good computer orientation using Microsoft Word for Windows and other Microsoft applications. (No programming skills) I am detail oriented with the ability to accept growing responsibilities in a high pressure environment. Quick learner with the ability to work with minimal direction.

**EXPERIENCE**

Public speaker/facilitator W/Power Point for ManAlive Domestic Violence prevention program  
Public speaker/facilitator W/Power Point for Project IMPACT Male Accountability program  
Apprentice electrician residential/construction (4000 hours).  
Clerical, typing (45 WPM), filing, telephone, data management, organization, daily scheduling.  
Computer experience, most Microsoft applications  
Retail sales/warehouse/delivery, promoted to service manager  
Audio Engineer - live concert events/recording; well versed with extensive hands on experience.  
Fork lift, heavy farm equipment, and medium truck driving experience, 20 plus years.

**EDUCATION**

Currently enrolled in Ohio University Bachelors Degree Program  
Currently enrolled in Patton University Ministry Program  
Currently enrolled in ManAlive Violence Facilitator Training.  
A.A. Degree Patton College - graduated w/honors 3.68  
Peer Health Education Counselor - Certified  
Biblical Counseling Foundation - Certified  
High School Equivalency - GED

**VOCATIONS & SKILLS**

Indentured Electrical Apprentice I.B.E.W.-  
Electricians Union, Local 551-Santa Rosa, California (4000) hours  
Assistant recording engineer/co-producer Gospel CD - marketed and sold over 30,000 copies  
Head audio engineer for all San Quentin musical events  
Toastmaster's International Gavel Club (public speaking)  
Available upon request

**REFERENCES**

April 28, 2005

*responded*  
*4/29/05*

Mr. Donald E. Cronk  
San Quentin Prison  
San Quentin, CA 94974

Dear Don,

Thank you for your fabulous and heartwarming letter regarding the prospect of employment upon your release from San Quentin! I appreciated learning more about your testimony and particularly enjoyed hearing about your vision of a bright and productive future. I am praying for you toward that end; in fact, in case you are not already aware, we pray for you every Wednesday night in our prayer meeting at Tiburon Baptist Church (TBC) where I am a member, along with Barry, Carol, Craig and the wonderful Kathleen. Your name is also on our ongoing prayer list, which is circulated among many prayer teams who meet regularly within our church.

Regarding employment with my company, *infoUSA*, your resume includes many marketable skills, which would make you an excellent candidate for several positions here and with other employers. While I am not permitted, per company policy, to hold a position open for a prospective candidate without a specific availability date, I welcome your application upon your release. One caution is that our policy is to conduct a criminal background check, using an outside firm, and depending upon the positions we have available at the time of your application, your history may preclude you from positions within our company, a publicly-held corporation, for three to seven years.

That said, what Carol Jackson and I are seeking to do is to identify private employers within Marin County, and elsewhere in California, for whom a criminal history would not prohibit a prospective hire. We have several private business owners within our church with whom we will be in discussion to see if we can develop a network of employers willing to give men such as you the opportunity to obtain gainful employment. So, please do not be discouraged!

Given your interest in sound mixing, please begin praying that we can make a connection with one of the local employers who could use someone with your gifts and talents (i.e. Lucas Film, Pixar Studios, etc.). I have a vision for establishing a program for parolees to have job offers upon their parole. Due to the stringent criminal history background check requirements in many public companies and educational institutions, this endeavor will require significant prayer and intervention by God in order to open the hearts of business owners and their insurance companies. Please share with me any specific ideas or suggestions you have toward this end so we can collaborate in making this vision a reality. I am confident God will make a way and suspect it will be a matter of hard work and prayer in the meantime.

On a personal note, I wanted to let you know that I am the Inimitable Kathleen Giono's deacon at TBC and you have made a wise choice in her as a future spouse. Not only is she absolutely

adorable and has the best hair of anyone in our entire church, she is a woman of godly character and grace. I will be praying for your joyful future together.

As for your journey toward continued healing and recovery, let me applaud your efforts and your walking with Jesus on this path. As one who has been clean and sober for 17 years, I look upon the circumstances around your incarceration and say, "But for the grace of God go I." Many times as my family at TBC and I have talked about our brothers at San Quentin, we are very aware that so many of us could be in your shoes and that the only thing separating us, for the time being, are walls. Be encouraged you as you continue to pursue truth and grace and as you seek to serve God by serving those around you.

Please keep in touch as you think of ways that Carol and I can work toward helping you and others get jobs upon parole. I will circulate your resume as appropriate among my colleagues who will be anxious to help you. Again, I think the important work we can do immediately is to pray and ask God to show us just where he wants you to serve and who we need to connect with to make that happen. TBC has established a transition fund to help parolees and Carol and I would like to supplement that support with employment connections.

Thank you again for sharing your testimony, vision and especially your time with me. I look forward to working with you in the days ahead to help you transition to the opportunities that await you. You can write to me via Carol Jackson and TBC and I will be in touch as well.

May God's grace and peace be yours in abundance. Your sister in Christ,

  
Susan Prnjak

KATHLEEN GIONO  
1628 SAN ANSELMO AVENUE  
SAN ANSELMO, CA. 94960  
415 458-3565 or 415 454-4687

San Quentin State Prison  
Main Records Department  
Attn: Board of Prison terms  
San Quentin, Ca. 94964

01 Jan 2005  
RE: DONALD CRONK  
C87286

Dear Members,

I was born and have lived in San Anselmo, Marin County, California all my life. I own a home in San Anselmo and manage a travel agency in the town of Corte Madera. I have many friends, family and contacts in the community, as such combined with Donald's skills, finding meaningful employment will create no problem.

My friendship with Donald Everett Cronk started in 1991 and slowly developed into a deeply caring, loving and serious relationship. We plan to be married upon his release. We will be living at the above address. I am able to provide a most stable and healthy living environment. I look forward to the experiences of helping Don ease back into society. I will encourage the ongoing meetings Don attends of N.A. and A. A., realizing these are life long commitments. I can provide transportation until Don can obtain his drivers license and car.

In the event Don must parole to Sacramento, I will be there for Don in whatever capacity he needs me. I can easily help him financially whether it be to secure housing, to purchase a vehicle, or with general living expenses.

Don has proven to be a wonderful devoted Christian who will continue to live his life serving God. He led me to Tiburon Baptist Church and my becoming a Christian. Don desires to also become a member of this church and is welcomed by Dr. Barry Stricker and his congregation. We both have plans to be involved and serve the church in whatever ministry they need us.

Don has my support and the support of his Wisconsin family and friends in Marin County. Everyone is aware of his crime, and feels he has become a fine, serious adult who has more than paid his debt and is ready to be a productive member of society. Don has managed to remain clean, upbeat and healthy in spite of his years of incarceration. Don made the best of his situation by finishing high school and completing a college degree, as well as many certificates and honors. He has many accolades from teachers, staff and members of the prison system, all which can be provided upon request.

Please consider Donald Cronk's release.

Sincerely,

*Kathleen M. Giono*

Kathleen Giono



**TIBURON**  
Baptist Church

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December 8, 2004

Board of Prison Terms  
1515 K Street, Suite 600  
Sacramento, CA 95814

To Whom It May Concern:

For several years, I have written letters of support on behalf of Donald E. Cronk (C-87286), an inmate at San Quentin State Prison. I have known Donald for over nine years through my involvement with programs at the prison. Donald has been a student in classes that I have taught through both the Protestant Chapel and Patten University. His work in the university courses over the past years has been exceptional. The more time I spend with Donald, the more convinced I am that he would be a strong contributing member of society if he could be granted release from San Quentin.

I have spent a great deal of time with Don and have observed him in a variety of settings. In every situation, he has demonstrated to me the highest integrity. He is self-aware and he continues to work hard to grow and learn. He is responsible, forthright, and honest. I do not know all the details of his life, but I am aware of the circumstances that led to his incarceration. He demonstrates both deep remorse and a genuine desire to make himself a productive member of society. I am convinced that Donald is ready to take his place as a productive member of our community.

Our church is willing to commit to Donald the support and assistance necessary for his transition to life outside. I am certain that he will have vital and substantial support, and that he is ready for the next stage of his life. In particular, our church can offer him assistance with transportation, education, job training, and accountability and support groups. Our church also sponsors an A.A. group that meets weekly in our facility.

Thank you for the opportunity to write a letter of support for Donald. If I might be of further assistance, please feel free to call me.

Sincerely,

Barry Stricker, Ph.D.  
Pastor

January 15, 2005

San Quentin State Prison  
Parole Board  
San Quentin, Ca. 94964

RE: Donald E. Cronk, C87286 3—95

To Whom It May Concern:

The year 2005 and once again I have been asked by Don Cronk to write on his behalf. I always feel it is a privilege and a pleasure to do so and it is my sincere hope that this year 2005 will be the year that this board will see fit to grant this man a parole. I am sure if you read his statements from his supporters you will find that Donald Cronk is a changed man and also truly sorry and regrets the crime that caused him to be incarcerated over twenty years. He certainly has served his time and in my opinion he should be given the opportunity to show society and the State of California that he is prepared and ready to take his place in society and lead a productive and healthy role.

Don Cronk has certainly improved himself while incarcerated in San Quentin. He has a perfect record with no disciplinary action taken against him. He has received a GED, an Associate of Arts from Patten University and is now working on a Bachelors Degree from Ohio University. He knows how important an education is not only to obtain a job but to keep his mind alert and active in the society he wishes to join.

I first met Don through the Garden Chapel program at San Quentin and was taken by his profound faith in Jesus Christ. He is an outstanding Christian—one who lives by and obeys the word of God. He helps his fellow inmates by doing various Bible Studies with them in the cellblock and living out the truths he speaks and teaches in his daily life.

Don has many people who can and will help him with employment and with housing but until a date is given there is no way for him to take that job or secure housing. Don does have a Church family that are waiting for him to parole and with God's help we will be able to help him on that road to a new beginning.

Thank you for taking the time to read this letter. It is my sincere hope and prayer that you will recommend this fine gentleman and my friend Don Cronk for parole. I know the State of California will be proud of his service to the community in which he will serving once he is given a chance.

Sincerely,



Carol Jackson  
%Tiburon Baptist Church  
445 Greenwood Beach Road  
Tiburon, Ca. 94920



*Rosser McDonald*  
*3032 San Marcos*  
*Fort Worth, Texas 76116*

January 3, 2005

Board of Prison Terms

Dear Sirs,

I am writing in support of parole for San Quentin Inmate Donald Cronk (#C-87286).

I met Don 15 years ago and have kept up with him through correspondence and occasional visits through the years. I have been impressed with his consistent dedication to learning and living as an upstanding and productive man. His educational advancement speaks for itself.

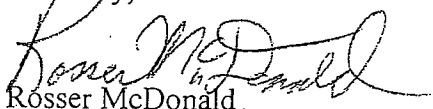
I met Don while researching stories for a TV documentary. I was a TV Producer for the Southern Baptist Radio and Television Commission (until retirement 3 years ago). We, and 3 other religious groups, made programs each year for NBC and ABC to use as their "religious affairs programming" and I produced the NBC shows for 10 years. Don was singled out by officials at San Quentin as one who "practiced what he preached" and after researching 3 potential stories I chose Don. It was a story which showed the practical difference God makes in a person's life when there is a genuine and continuing commitment. The contrast between the kind of life that gets you into prison and being a committed Christian was clear. Former Dallas Cowboy Football Coach, the late Tom Landry, hosted the program and was impressed with the obvious difference in Don.

As I stated, I have maintained the friendship Don and I made during the production of that program and his faith has grown and helped him to be an honest, productive citizen in the difficult circumstances of prison.

Since I live 1500 miles away and am retired, I am not in a position to commit to finding employment, housing and other sponsor type activities. I do agree to contribute \$400 to a fund for supporting Don while getting established in the free world. I also can help to find a good, solid church in the area where he locates through my long association with the Southern Baptist Denomination.

I appreciate your willingness to serve in this important position. I thank you for giving consideration of a parole for Donald Cronk, and I pray for wisdom and insight in your deliberations.

Sincerely,

  
Rosser McDonald

**mccarthy painting**

phone: 916-451-8888

fax : 916-453-0606

5409 s street  
sacramento, ca. 95819

December 19th, 2004

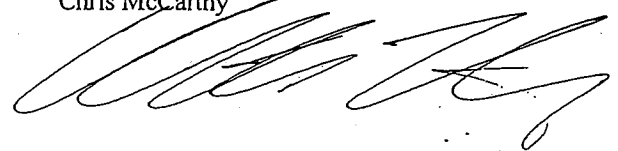
Board of Prison Terms

Dear Sirs,

I know Donald Cronk through correspondence and the relationship of a mutual friend named Chris Shirley. I am writing this letter to inform you that I will employ Donald Cronk as a house painter if he is available. The job would be full time and permanent. The wage would be ten dollars per hour. If he lives nearby I would be able to give him a ride to work. If you require any further information, please do not hesitate to call.

Sincerely,

Chris McCarthy

A handwritten signature in black ink, appearing to read 'Chris McCarthy', written over a horizontal line.